

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 395 OF 2018

FLORA NIKITA BELLESTRAIN MEYERS., ... Petitioner

Versus

DESMOND ARTHUR MEYERS., ... Respondent

Shri Wilbur Menezes, Advocate for the Petitioner.

Shri Nigel Da Costa Frias, Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 4th June 2018

ORAL ORDER:

Heard the learned Counsel for the parties.

2. On hearing the learned Counsel for the parties, I find that the petition can be disposed of on a short count.

3. The petitioner has filed an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (Act, for short), in which, an application for interim relief is filed under Section 23 of the Act. The learned Magistrate, by impugned order dated 14.12.2017, has refused to grant any ad-interim reliefs and posted the matter for say of the petitioner. It is this order which is subject matter of challenge in this petition.

4. The learned Counsel for the petitioner submits that all the documents annexed are furnished. The learned Counsel for the respondent submits that the respondent has filed reply to the main application and the matter is now fixed on 12.06.2018. The learned Counsel for the respondent submits that the respondent shall file reply to the application for interim maintenance by 12.06.2018, if so advised. The statement is accepted.

5. In such circumstances, the petition is disposed of with a direction to the learned Magistrate to decide the application for interim maintenance, within four weeks from 12.06.2018. The learned Magistrate shall also decide the main application, as expeditiously as possible and preferably within a period of six months from the receipt of this order. Needless to mention that the learned Magistrate shall decide the application for interim maintenance as also the main application, without being influenced by the observations made in the impugned order dated 14.12.2017. All rival contentions of the parties are left open.

C. V. BHADANG, J.

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