

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5150 OF 2017

Bhushan B. Kadam

.Petitioner

Vs.

Jyoti B. Kadam

.Respondent

Mr. P. J. Thorat, Advocate, for the Petitioner
None for the Respondent

CORAM : M. S. SONAK, J.

DATE : 24.11.2018

P.C.

. Heard Mr. Thorat, learned counsel for the Petitioner.

2. By detailed order dated 20.03.2018, it was made clear that the issue raised in this Petition would be considered after deposit of the arrears of maintenance by the Petitioner. For this purpose, some time was also granted to the Petitioner and in the meanwhile, directions were issued not to take any coercive steps for executing the order for payment of maintenance.

3. Upon a query, Mr. Thorat, learned counsel for the

Petitioner admits that the Petitioner has not cleared the arrears of maintenance though Mr. Thorat submits that some amounts have been paid towards maintenance.

4. The Petitioner has been granted sufficient indulgence. Since, the Petitioner is not interested in paying maintenance despite his own undertaking to pay the same, such Petitioner is not entitled to any equitable relief in exercise of extra ordinary jurisdiction under Articles 226 & 227 of the Constitution of India.

5. On the aforesaid ground alone, the present Petition is not entertained and is hereby dismissed. There shall be no order as to costs.

(M.S.SONAK, J.)