

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

CRIMINAL WRIT PETITION NO. 454 OF 2016

Mrs. Rachana Gautam Kothari

...Petitioner

Vs.

Mr. Gautam Rajnikant Kothari & Ors

... Respondents

.....

Ms. Mohan Pillai I/b. M.M. Pillai for the Petitioner.

Mr. Jeetendra Ranawat I/b. Mr. Waquar Ahmad for Respondent Nos. 1 to 5.

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CORAM : G.S. KULKARNI, J.

DATE : JANUARY 10, 2018.

P.C. :

1. Heard learned counsel for the petitioner-wife and the learned counsel for the respondent-husband.
2. After this petition was heard for sometime, the grievance of the petitioner which is mainly to the non-payment of the school fees and the other school expenses as contained in the direction dated 29/11/2014 passed by the Learned 26th Metropolitan Magistrate Court, Mumbai is not disputed by the respondent no.1-husband.
3. Learned counsel for the respondents on instructions of respondent no.1, who is present in the Court makes a statement that in future, respondent no.1 will pay the school fees and other expenses as directed by the Metropolitan Magistrate in the said order and there

shall not be any default in that regard. Statement is accepted as an undertaking to the Court.

4. As regards, the amount of Rs. 1,20,000/- which is the amount outstanding towards the monthly maintenance towards the petitioner-wife and two children, learned counsel for respondent no.1 on instructions states that, this amount would be paid on or before 28th February, 2018. Statement is accepted.

5. In view of the above statements as made on behalf of respondent-husband, nothing further would survive to be adjudicated in the present proceeding.

6. Keeping all contentions of the parties open to be agitated in the pending proceedings before the trial Court, the petition is disposed of, however, subject to the above orders.

7. Liberty to the parties to apply before the learned trial Judge for early hearing of the proceedings.

(G.S. KULKARNI, J.)