

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.132 OF 2014
IN
CIVIL APPLICATION NO.331 OF 2012
IN
FAMILY COURT APPEAL NO. 72 OF 2011

Sanika Sunil Mohite ... Petitioner

Vs.

Mr. Sunil D. Mohite ... Respondent

Mr. Vaibhav P. Patankar, for the Petitioner

Ms. Jyoti Sahu i/b Dinesh C. Patankar, for the Respondent

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : MARCH 22, 2018

PC. :

1 Heard. The learned counsel for the Respondent submits that the Respondent Sunil D. Mohite is present in court. His presence is recorded.

2 By this petition, the Petitioner wife alleges that the Respondent husband has failed and neglected to comply with order dated 30.09.2013 passed in Civil Application No.331/2012 in Family Court Appeal No.72/2011 by not paying the maintenance charges regularly.

3 After arguing for some time, the learned counsel for the Respondent makes a statement that they have already cleared all the

arrears of maintenance charges. Moreover, the Respondent has filed undertaking dated 22.03.2018 stating that henceforth he will pay maintenance charges of Rs.7000/- pm to the Petitioner on or before 10th day of each month and in case of any default in payment of maintenance on or before 10th day of any month he will pay a sum of Rs.3000/- as penalty for each such default. The undertaking is accepted. Said undertaking is taken on record and marked "X" for identification

4 The learned counsel for the Respondent, after taking instructions from her client, agreed to pay cost of Rs.10000/- to the Petitioner. The learned counsel for the Respondent submits that she has already handed over a sum of Rs.10,000/- to the Petitioner's advocate in court, which is acceded to by the learned counsel for the Petitioner.

5 In view of the aforesaid undertaking we do not find any substance in the Contempt Petition. Hence, the Contempt Petition stands dismissed.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)