

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5546 OF 2018
Umesh R. Sharma
vs.
Mrs. Seeta U. Sharma

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. P.R. Yadav for the Petitioner.

CORAM : M. S. SONAK, J.
DATE : 30 NOVEMBER 2018.

P.C. :-

1] On 18th July 2018, this Court made the following order:

1. *Heard learned Counsel for the petitioner. Perused petition and other relevant documents.*
2. *Learned Trial Court passed the impugned order directing the petitioner-husband to pay Rs.15,000/- p.m. towards interim maintenance pending the proceeding filed for divorce under Section 13(1) of the Hindu Marriage Act. During the course of argument, learned Counsel for the petitioner shown willingness to deposit 25% of the arrears of maintenance amount as per impugned order passed by the learned Trial Court, which would accrued to Rs.1,35,000/- approximately.*
3. *In view of submission, issue notice to the respondent subject to depositing the amount of Rs.1,35,000/- towards part payment of maintenance in the Trial Court i.e. 14th Joint Civil Judge Senior Division, Pune within three weeks from today, failure to which, the petition stand dismissed automatically without further reference to this Court. In case, the petitioner succeeded to deposit the amount of Rs.1,35,000/- before the learned Trial*

Court within stipulated period, the notice of petition be issued to the respondent returnable on 29.08.2018. In case, the amount is deposited, ad-interim relief in terms of prayer clause (b) till next date.”

2] Today, the learned counsel for the petitioner admits that the petitioner has not complied with the directions in paragraph 3 of the aforesaid order dated 18th July 2018. Accordingly, the petition stands dismissed since the order dated 18th July 2018 is a self operative order. In fact, the Registry will have to take note of this order and indicate the petition as dismissed.

3] In any case, it is now clarified that this petition stands dismissed by virtue of non-compliance with self operative order dated 18th July 2018. The Registry to accordingly indicate this petition as disposed of.

(M. S. SONAK, J.)