

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

WRIT PETITION NO. 6703 OF 2017

Shri. Aniket Ashok Khandekar ...Petitioner

Vs.

Smt. Shweta Aniket Khandekar ... Respondent

ALONGWITH

WRIT PETITION NO. 1423 OF 2018

Smt. Shweta Aniket Khandekar ...Petitioner

Vs.

Shri. Aniket Ashok Khandekar ... Respondent

.....

Mr. Piyush Shah I/b Mr. Mayuur K. Jariwala for the Petitioner in WP/6703/2017.

Mr. N. P. Deshpande for the Petitioner in WP/1423/2018 and Respondent in WP/6703/2017.

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**CORAM : G.S. KULKARNI, J.
DATE : FEBRUARY 2, 2018.**

P.C. :

WRIT PETITION NO. 6703 OF 2017

1. Writ Petition No.6703 of 2017 is filed by the petitioner-husband and writ petition no.1423 of 2018 is filed by the respondent-wife.
2. After this petition was heard for some time, learned counsel for the petitioner seeks leave to withdraw this petition with liberty to urge all contentions before the family court including seeking modification of the impugned order, if the circumstances so warrant. Allowed to be

withdrawn with liberty as prayed for.

3. At this stage, Mr. Deshpande, learned counsel for the respondent-wife states that there are arrears of maintenance. Mr. Shah, learned counsel for the petitioner-husband fairly states that the amount of arrears of maintenance shall be deposited in the family court by the petitioner within a period of two months from today of which the first installment of fifty percent shall be deposited within one month from today and the balance fifty percent within one month thereafter. Statement is accepted. On the deposit of the said amount, the respondent-wife is permitted to withdraw the amounts so deposited.

WRIT PETITION NO. 1423 OF 2018

4. In view of the above order passed in writ petition no.6703/2017, Mr. Deshpande, learned counsel for the petitioner-wife does not press this writ petition. It is accordingly disposed of, however keeping all contentions of the petitioner-wife open to be urged and agitated before the family court including liberty to move the family court for enhancement of the maintenance amount, if so necessary.

5. The petitions are accordingly disposed of as withdrawn, however subject to the above orders. No costs.

6. Needless to observe that if any fresh application is moved on behalf of the parties, same shall be considered on its own merits

without being influenced by the orders impugned in these petitions.

7. Learned counsel for the parties are also *ad idem* that considering the facts and circumstances of the case the dispute between the parties can be resolved. It would be appropriate that the parties attempt to resolve the disputes. The learned trial judge of the family court would surely take the same into consideration and make an endeavour that the parties resolve the disputes.

(G.S. KULKARNI, J.)