

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.274 OF 2017

Jayshree Ashok Marle	.. Applicant
<i>Versus</i>	
Amit Ashok Marle & Anr	.. Respondents

...

Mr.Rahul P. Walvekar for the applicant.
Mr.S.S.Koregave for the respondent.

CORAM: SMT.BHARATI H. DANGRE, J

DATED : 26th MARCH 2018

PC:-

1 The present application has been taken out under Section 125 of the Code of Criminal Procedure by the applicant-mother seeking maintenance from her son. The Family Court, by an order dated 18th May 2017, was pleased to allow the application partially and directed the respondent to pay maintenance of Rs.5,000/- per month for maintaining the mother. On the last date of hearing, learned counsel for the applicant raised a grievance that the mother is suffering from several ailments on account of her age and she is required to bear medical expenses for dealing with the said medical ailments.

2 Learned counsel for the respondent fairly assured to this Court that he would take all the necessary steps to see to it that his mother is not left in a state of being a destitute and he will

cater to all her medical needs. On directions of this Court, the respondent has filed an affidavit before the Court on 20th March 2018. The following statements are made in the said affidavit in para 2 and para 3.

(2) “I say that I am ready to pay medical expenses to the applicant-mother as and when occasion arise.

(3) I say that, am ready to pay maintenance Rs.5,000/- per month to the applicant as full and final maintenance as per order passed by the learned Counsel for Ld.Trial Court, Kolhapur.

In view of the said affidavit, since the respondent has already undertaken to pay medical expenses to the mother as and when occasion arises and he would continue to make the payment of Rs.5,000/- towards maintenance as directed by the Family Court, the grievance of the applicant do not survive. Learned counsel for the applicant raised a grievance that the amount of maintenance has not been cleared from October 2017 till date. Upon the said grievance being raised, learned counsel for the respondent graciously states that the said arrears of maintenance would be deposited by him in the Family Court by 15th April 2018 and he would continue to pay the medical expenses regularly. On submission of the requisite bills and whenever any amount is required in advance, respondent agrees that he would arrange for the said amount so that any medical treatment to the mother would not be stopped and rather it would be immediately arranged for.

The affidavit submitted before this Court by the respondent on 20th March 2018 is accepted as an undertaking to this Court and by accepting the said aforesaid statement, Criminal Revision Application stands disposed of.

(BHARATI H. DANGRE, J)