

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

CRIMINAL WRIT PETITION NO.3142 OF 2015

Rahimtulla Akbar Mulani

... Petitioner

Vs.

Halimabi Rahimtulla Mulani & Ors.

... Respondents

Mr.Sandesh Inamdar Shinde I/b B.A. Lawate for the Petitioner
Mr.Anand Shalgaonkar I/b K.T. Pawar for Resp. No.1
Ms.Veera Shinde, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: OCTOBER 25, 2018

P.C.:

1. Rule. By consent of the parties, Rule made returnable forthwith and heard finally at the stage of admission.
2. This Writ Petition is directed against the order dated 23.6.2015 passed by the learned Additional Sessions Judge, Sessions Court, Greater Mumbai in Criminal Appeal No.1086 of 2014, thereby confirming the order dated 12.11.2014 in C.C. No.35/DV/2013 passed by the learned Metropolitan Magistrate, 27th Court, Mumbai. The proceedings under the Domestic Violence Act are pending and in the said proceedings, the

respondent/wife has asked for residence and the learned Metropolitan Magistrate directed the petitioner/husband not to transfer, alienate or sell the property i.e., Flat No.202, against which he filed Criminal Appeal. The said appeal was dismissed by the learned Sessions Judge and the interim order passed by the learned Metropolitan Magistrate was confirmed.

3. After going through the papers and hearing the learned Counsel as also the parties, who are present before the Court, I do not find any illegality in the order passed by the learned Sessions Judge and also the learned Metropolitan Magistrate.

4. Hence, the petition is dismissed.

(MRIDULA BHATKAR, J.)