

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

**CRIMINAL APPLICATION NO.549 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.109 OF 2014**

Satish Arjun Waghmare

.. Applicant

Vs.

Jyoti Satish Waghmare & Anr.

.. Respondents

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Mr.Sunil R. More, Advocate for the Applicant.

Mr.Pravin G. Sawant, Advocate for Respondent No.1.

Mr.Swapnil S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 10, 2018.

P.C. :

This is an application preferred seeking interim stay of the impugned order dated 18th June, 2012, passed by the Family Court Bandra, Mumbai. The applicant had challenged the said order by preferring Revision Application No.109 of 2014, which has been admitted by this Court vide order dated 11th December, 2014.

2 The learned counsel for the applicant submits that the impugned order dated 18th June, 2012 was erroneously

passed by the Family Court, Bandra, Mumbai. Although, the Revision Application is pending before this Court, respondent no.1 has initiated execution proceedings and, therefore, the interim stay may be granted.

3 Learned counsel for respondent no.1 submitted that the applicant has not complied with the order dated 18th June, 2012. No amount of maintenance has been paid by the applicant in compliance with the said order. Learned counsel for the applicant disputed the submission advanced by the learned counsel for respondent no.1 that the amount has not been deposited.

4 Revision has been admitted by this Court. However, this Court vide order dated 11th December, 2014, the application for interim stay was rejected.

5 Considering the submissions advanced by both the parties, it would be appropriate to fix the Revision Application for final hearing.

6 Office is directed to list the Revision Application No.109 of 2014 on Final Hearing Board commencing from 15th January, 2018.

(PRAKASH D. NAIK, J.)