

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

CRIMINAL WRIT PETITION NO. 4118 OF 2018

Mr. Tushar Kanti Das

... **Petitioner**

V/s.

Mrs. Umadevi Tushar Das & Anr.

... **Respondents**

Mr. Kiran Jain a/w Neeta Solanki I/b Kiran Jain & Co. for the Petitioner.

Mr. Arshad Shaikh I/b Mr. Susan Abraham for Respondent No.1.

Mrs. Rutuja Ambekar, APP for the Respondent/State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 9th OCTOBER, 2018

P.C.:

. Rule. Rule made returnable forthwith. By consent of the parties, the petition is heard finally and disposed of at the stage of admission.

2 After hearing this Writ Petition, when this Court expressed that the Court is going to dismiss the Writ Petition, learned Counsel prays that he wants to withdraw this Writ Petition as the interim order passed by the Appellate Court is challenged in this Writ Petition and his appeal is pending and he wants to pursue the main appeal.

3 On query about the dues of the interim maintenance amount, learned Counsel has submitted that Petitioner will deposit all the dues as per order dated 07.09.2018 of the Session Court on or before 31.10.2018 before the Sessions

Court, Greater Mumbai.

4 It is to be noted that time of three weeks is sought by the learned Counsel for the Petitioner and therefore, learned Sessions Judge to ensure first that the entire amount of dues are deposited first within three weeks from today and then the Appeal to be heard expeditiously.

5 In view of this, Petitioner is allowed to withdraw this Writ Petition. Interim order of the Appellate Court is not disturbed.

(MRIDULA BHATKAR, J.)