IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
WRIT PETITION NO.14496 OF 2018

Pratik Kirtikumar Shah .. Petitioner

vs

Brinda Pratik Shah .. Respondent

Mr.Satish Mande for Petitioner
Mr.Rajesh L.Dharap for Respondent.

Coram : M.S.SONAK, J
Date : 20TH DECEMBER, 2018

P.C

1. On 14.12.2018 this Court made the following order :

> "1. Not on Board Taken on Board.
>
> 2. Place the matter on 20th December 2018. However, the petitioner is directed to deposit in this Court before the next date, the entire maintenance amount awarded in terms of the impugned order without prejudice to his rights and contentions in the present petition.
>
> 3. Place the matter on the supplementary board on 20th December 2018. The petitioner is directed to remain present personally in the Court."

2. Mr.Mande learned counsel for the petitioner at the outset states that the petitioner is unable to remain present in Court today since he is reported to be unwell. He also states that he has received telephonic instructions, to request this Court to grant 15 days time within which the petitioner will deposit only 50% of the arrears of maintenance amount

and if no such time may be granted then, to request the Court for leave to withdraw the present petition.

3. This Court indicated that 15 days time is granted to pay the entire arrears of maintenance amount. Mr.Mande learned counsel for the petitioner states that the petitioner will not be in a position to pay the entire arrears of maintenance. Accordingly, he seeks leave to withdraw the petition.

4. Learned counsel for the respondent-wife points out that till date, arrears of maintenance amount towards the wife and minor daughter have not been paid and the petitioner is avoiding such payment taking advantage of the fact, that he is at present in Ahmedabad.

5. Learned counsel for the petitioner accordingly, seeks leave to withdraw the present petition.

6. Leave is granted. Petition is dismissed as withdrawn.

(M.S.SONAK, J)