

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 405/2017

Mahendra S/o Kisan Kolhe
..VS..
Varsha W/o Mahendra Kolhe & ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.M. Sharma, Advocate for the applicant
Shri G.M. Kubade, Advocate for the non-applicants

CORAM : Z.A.HAQ, J.
DATED : 28/11/2018

Heard.

The learned advocate for the non-applicants submits that the trial has progressed and the evidence of the original applicant – Varsha is being recorded. He submits that the matter can be disposed continuing the interim directions passed by this Court on 30/06/2017 and expediting the proceedings before the learned Magistrate.

Though the learned advocate for the applicant do not agree for the proposal, he has not been able to point out that the applicant is not liable to pay the interim maintenance to the non-applicant nos. 2 and 3 (minor children).

Considering the facts of the case, the following order is passed:-

(a) The learned Magistrate is directed to expedite the trial and dispose the proceedings within four months.

(b) The interim directions given by this Court by the order dated 30/06/2017 to the applicant to pay Rs. 7500/- per month to the non-applicants regularly shall continue till disposal of the proceedings before the learned Magistrate.

(c) The amount of Rs. 45,000/- deposited by the applicant and lying with the Registry of this Court, alongwith interest on it, if any, be given to the non-applicant no. 1 – Varsha for herself and the non-applicant nos. 2 and 3.

The criminal application is **disposed** in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE

Ansari