

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10847 OF 2019

PRASHANT VISHNU MALWADKAR
VERSUS
SHRADHA PRASHANT MALWADKAR

Mr.S.V.Gundre, Advocate for the petitioner.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 26/09/2019

PER COURT :

1. On 11/09/2019, I had passed the following order :-

“1. The petitioner is aggrieved by the order dated 29.04.2019, passed by the learned Family Court, Latur, by which application Exhibit 54 filed by the respondent-wife seeking interim maintenance in Petition No. A-57/2018 has been allowed and the petitioner is directed to pay Rs. 5,000/- per month as interim maintenance from the date of the application. The petition filed by the husband bearing No. A 5/2018 seeking restitution of conjugal rights has already been dismissed. Maintenance at the rate of Rs. 5,000/- was granted in favour of the respondent-wife in that proceeding.

2. When called upon to state, the learned Advocate for the petitioner frankly submits on instructions that the petitioner is in arrears of Rs. 1,20,000/- in the earlier proceedings and Rs.

60,000/- in the present proceedings.

3. *Though I was inclined to dismiss this petition, the learned Advocate for the petitioner submits on instructions that he would deposit an amount of Rs. 1,00,000/- before the learned Family Court at Latur in Petition No. A-57/2018 within two weeks from today.*

4. *In view of the above, list this petition for passing orders on 26.09.2019. The petitioner shall produce a receipt of deposit of the amount of Rs. 1,00,000/- before the learned Family Court, Latur. The amount shall be deposited on or before 25.09.2019.*

5. *If the said amount is not deposited, this petition would stand dismissed on 26.09.2019.”*

2. The learned Advocate for the petitioner/husband submits that he has not complied with the said order . I find it quite obvious as to why the husband is not complying with the order of this Court since he would have to pay the arrears of maintenance to the wife, which apparently he desires to avoid.

3. In view of the above, this petition is dismissed.

(Ravindra V.Ghuge, J.)