

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

MISC.CIVIL APPLICATION NO.203 OF 2018

**DR. PALLAVI PRASHANT GULWADE
VERSUS
DR. PRASHANT MADHUKAR GULWADE**

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Advocate for the Applicant : Shri S. N. Lale Yelwatkar
Advocate for the Respondent- sole : Smt. R. S. Kulkarni h/f.
Shri S. S. Kulkarni.

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 09th JANUARY, 2019.

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PER COURT :

1. When I had passed an order on 10/10/2018 granting interim relief to the applicant wife, it was not pointed out that the Family Court, Akola had already passed an order on 10/04/2017 below application Exhibit 13, by which, an amount of Rs. 15,000/- per month was granted as maintenance to the applicant wife and a lump-sum amount of Rs. 25,000/- was granted as travelling expenses from Sangamner to Akola where the proceedings were instituted by the husband.

2. The learned Advocate appearing on behalf of the

applicant in this proceeding Shri Lale had conducted the brief for the applicant wife when the husband challenged the order dated 10/04/2017 in Writ Petition No. 6517/2017 before this Court at it's Nagpur Bench. Even the said learned Advocate did not point out this aspect when I had heard him on 10/10/2018. The lump-sum litigation expenses of Rs. 25,000/- were held by this Court to be appropriate and the Writ Petition filed by the husband at Nagpur was rejected.

3. I find from the memo of the application that the fact of the order dated 10/04/2017 having been passed at Akola and the order dated 06/08/2018 having been passed at Nagpur by this Court, have not been mentioned.

4. Considering the above, it is apparent that the applicant wife is guilty of deliberate suppression of material information. Her case would be squarely covered by the law laid down by the Honourable Apex Court in the matter of *Kishore Samrite Vs. State of U.P. and others (2013) 2 SCC 398* and in the mater of *Bhaskar Laxman Jadhav and others Vs. Karmaveer Kakasaheb Wagh, AIR 2013 SC 523 : 2013 11 SCC 531*.

5. In view of the above, this application is rejected by imposing costs of Rs. 10,000/- which the applicant shall deposit in this Court on or before 01/02/2019. The learned Advocate for the respondent husband submits that the said amount be donated for the treatment of poor patients in the Government Medical Hospital. The said amount shall, therefore, be deposited with the Government Medical College and Hospital, Aurangabad, **through Medical Officer, High Court Dispensary, Aurangabad**, either in cash or by Demand Draft (**Demand draft be drawn in the name of “Dean, Government Medical College and Hospital, Dengi Samiti, Aurangabad”**). If the amount is not deposited, the defence of the applicant wife before the Family Court, shall be struck off.

6. *Insofar* as the conduct of the learned Advocate is concerned, he has drafted this application. He has himself appeared for the applicant wife before the Nagpur Bench of this Court. I find that this is a fit case for taking judicial cognizance.

7. At this juncture, the learned Advocate for the applicant wife tenders an unconditional apology and submits that he would be carefully in such matters and would make appropriate declarations while drafting the petition. The said apology is accepted.

(RAVINDRA V. GHUGE, J.)

shp/-