

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

3 WRIT PETITION NO. 12714 OF 2017

**PAWAN BABURAO GAIKWAD
VERSUS
PRIYA PAWAN GAIKWAD**

...
Advocate for Petitioner : Shri K. N. Shermale
Advocate for Respondent: Shri H.H.Padalkar

...
**CORAM : P.R.BORA, J.
DATE: 11th April, 2019**

PER COURT:-

1 When the present petition is taken up for hearing, the learned Counsel appearing for the parties jointly submitted that the Special Marriage Petition, which was subsequently converted into Family Court Petition bearing No.A-109 of 2018, has been finally decided by the said Court on 26.02.2019, and the alimony is fixed @ Rs.7,000/- per month from the date of the said order.

2 The present petition is filed challenging the order passed by the District Court, Ahmednagar, granting interim alimony to the respondent @ Rs.9,000/- per month. While entertaining the petition, this Court on 06.11.2017, has passed an order thereby directing the petitioner to continue to pay the interim alimony @ Rs.5,000/- per month instead of Rs.9,000/- per month.

3 Now, it is submitted that since the Family Court Petition has been finally disposed of, the present petition has become infructuous and hence, request is made for disposing of the petition.

4 The learned Counsel appearing for the respondent submits that the respondent is satisfied with the amount of maintenance granted to her @ Rs.5,000/- per month vide the interim order passed by this Court.

5 In view of the submission so made, the present petition can be disposed of by making the interim order absolute. Order accordingly.

6 The amount deposited by the petitioner in this Court be transmitted to the Family Court at Ahmednagar and the respondent is permitted to withdraw the said amount from the said Court.

(P.R.BORA)
JUDGE

SPT