

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.534 OF 2018

IN

CRIMINAL WRIT PETITION NO.3036 OF 2018

(Prajakta @ Leena Sajan Bhamre and another Vs. Sajan Saupdu Bhamre and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Amey Deshpande for Applicants.

Mr. Harsh Nishar i/b. Mr. J. D. Khairnar for Respondents.

CORAM : R. G. KETKAR, J.**DATE : 2ND MAY, 2019****P.C.:**

Heard Mr. Deshpande, learned Counsel for the applicants and Mr. Nishar, learned Counsel for the respondents.

2. This is an application filed by the applicant No.1- wife and applicant No.2 - son of the first respondent for withdrawal of the amount deposited by the first respondent in this Court in pursuance of order dated 23.07.2018.

3. Mr. Deshpande invited my attention to the findings recorded in paragraph 14 of the impugned order. The learned trial Judge recorded that the gross salary of the first respondent is Rs.25,179/- and net pay is Rs.18,571/-. The learned trial Judge accordingly directed respondent No.1 to

pay Rs.4,500/- per month to the applicant No.1 and Rs.3,500/- per month to the applicant No.2 towards maintenance from the date of application i.e. 03.09.2014. He, therefore, seeks permission to withdraw the amount deposited by the first respondent.

4. In view thereof, Criminal Application is allowed in terms of prayer clause (A). In case the respondent No.1 succeeds, the amount withdrawn by the applicants shall be adjusted against the order of maintenance. Criminal Application is disposed of accordingly.

(R. G. KETKAR, J.)

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