

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3322/2016

Pradeep s/o Narayanrao Raut

Vs

Ku.Rutuja d/o Pradeep Raut, through her natural guardian mother Rajshree Wamanrao Dhote.

Office notes Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri N.B.Kalawaghe, Advocate for petitioner.
Smt. J.A.Mahajan, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.

DATED : September 11, 2019

It is informed that the proceedings before the Family Court are at the stage of recording evidence.

In view thereof **Rule**. Rule made returnable early.

Smt. J.A.Mahajan, learned counsel waives notice for respondent.

Interim relief granted on 17.06.2016 shall continue to operate during the pendency of the writ petition. The Family Court shall however continue to adjudicate the proceedings irrespective of the pendency of the writ petition.

CIVIL APPLICATION (W) NO. 2236/2019

The respondent has moved this application for directing the petitioner to deposit arrears of maintenance from 01.01.2015 to 01.02.2016. The prayer made in this application is based on the impugned order dated 30.01.2016 which directs the petitioner herein to pay maintenance @ Rs.8,000/- per month from 01.01.2015.

In view of the fact that the direction to pay interim maintenance from 01.01.2015 has been stayed by this Court on 17.06.2016 and it not being in dispute that maintenance @ Rs.6,000/- per month is being paid to the respondent from 01.02.2016, the prayer made in this application cannot be granted at this stage. Subject to final adjudication of the proceedings, it is open for the respondent to claim payment of maintenance in terms of the impugned order.

Civil Application stands dismissed.

JUDGE

Andurkar.