

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

32 WRIT PETITION NO.1468 OF 2020

ATMARAM TUKARAM BADHE
VERSUS
MANISHA ATMARAM BADHE

...
Advocate for Petitioner : Mr. Gopal D Kale

...

**CORAM : ROHIT B. DEO, J.
DATED : 28th JANUARY, 2020.**

PER COURT:-

1. The petitioner is assailing the order dated 27.03.2018, whereby the learned Civil Judge Senior Division, Ambajogai directed the petitioner to pay monthly maintenance of Rs.3,000/- to the respondent-wife.

2. This order is passed in petition for dissolution of marriage instituted by the petitioner-husband.

3. The learned counsel for the petitioner submits that subsequently vide order dated 17.05.2019 passed in proceedings under Section 125 of the Criminal Procedure Code, the petitioner is directed to pay Rs.2,500/- to respondent-wife and Rs.1,500/- to the child from the wedlock.

4. The order dated 27.03.2018 cannot be interfered with on the ground that there is a subsequent order of

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maintenance under Section 125 of the Criminal Procedure Code. If the learned Magistrate who has passed the order under Section 125 of the Criminal Procedure Code has not considered the earlier order, the remedy of the petitioner-husband lies elsewhere.

5. I do not see any error in the order impugned. The petition is dismissed.

(ROHIT B. DEO, J.)

Mujaheed//