

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

WRIT PETITION NO. 2611 OF 2020

ASHISH BHARAT KHANDALE
VERSUS
MAYA ASHISH KHANDALE

...

Advocate for the Petitioner : Shri D. A. Mane h/f.
Shri P. A. Bharat
Advocate for the Respondent -sole : Shri M. K. Bhosale

...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 9th MARCH, 2020

...

PER COURT :

1. This matter was heard for quite some time on 07/03/2020 and was listed today for "Passing orders" considering the consent of the parties.

2. The learned Advocates for the respective sides concede that there are two orders of payment of maintenance. One is under Section 125 of the Code of Criminal Procedure and the impugned order is in Petition No. A - 84/2019 filed by the husband, under Section 24 of the Hindu Marriage Act. Rs. 10,000/- maintenance amount has been paid by the husband to

the wife. Now there is a consensus that the quantified arrears until February 2020 would be about Rs. 1,50,000/-. This can be rounded up to Rs. 1,25,000/- and from March 2020, both the orders of maintenance shall be adjusted with each other and a sum of Rs. 5,000/- per month from March 2020 would be the total maintenance payable by the husband to the wife.

3. The learned Advocate for the husband submits that besides paying Rs. 5,000/- per month on or before the 10th Day of each month, beginning from March-2020, an amount of Rs. 50,000/- as the first instalment towards the arrears, would be paid by 15/04/2020 and the residual amount towards the arrears of Rs. 75,000/- would be paid till 15/05/2020. The learned Advocate for the wife submits on instructions that she is agreeable.

4. In view of the above, this petition is disposed off with the consensus that the two orders under Section 125 of the Cr.P.C. and Section 24 of the Hindu Marriage Act would be adjusted and a total sum of Rs. 5,000/-

per month shall be payable on or before the 10th Day of each month, beginning from March 2020. The first instalment of R. 50,000/- shall be paid by the husband on or before 15/04/2020 and the second instalment of Rs. 75,000/- would be paid by the husband on or before 15/05/2020.

5. If there is any default, the Trial Court would be at liberty to dispose off the proceedings filed by the husband and strike off the defence of the husband in any proceeding filed by the wife.

(RAVINDRA V. GHUGE, J.)

shp/-