

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5475 OF 2019

DEEPAK NIMBRAJ BADHE

)...PETITIONER

V/s.

THE STATE OF MAHARASHTRA & ANR.

)...RESPONDENTS

Mr.Shivraj Kunchge, Advocate for the Petitioner.

Mr.R.M.Pethe, APP for the Respondent – State.

Mr.R.P.Lote, Advocate for Respondent No.2.

CORAM : A. M. BADAR, J.

DATE : 23rd JANUARY 2020

PC. :

1 Heard.

2 What is impugned in the instant petition is the order issuing notice to respondents in an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

3 There is alternate and most efficacious remedy to file an appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005 for challenging the order which is sought to be impugned in the instant petition.

4 The learned counsel for the petitioner submits that he is availing alternate remedy for preferring an appeal and therefore, interim relief which is operating in the instant petition be extended by two more weeks.

5 Request so made is reasonable. Interim relief is extended by two weeks to enable the learned counsel for the petitioner to take resort to appropriate remedy prescribed by law.

6 The petition is, therefore, disposed off, in view of availability of alternate remedy, by giving liberty to the petitioner to avail the alternate remedy, as prescribed by law.

(A. M. BADAR, J.)

**Arti V.
Khatate**

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