

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.6187/2019

ASHADEVI PREM KUMAR PATWA PETITIONER.

V/s.

THE STATE OF MAHARASHTRA AND ANR. ...RESPONDENTS.

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Mr.Anand S. Jondhale, Advocate, i/b Jondhale & Company
for the Petitioner.

Mr.S.V.Gavand, APP for the State.

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CORAM : A. M. BADAR, J.

DATE : 14TH JANUARY 2020.

P.C.:

1. Heard learned counsel appearing for the petitioner. He submits that the petition is maintainable because meagre maintenance is awarded to a poor lady and the learned Metropolitan Magistrate has observed that the petitioner has not produced any documents relating to her need and price of

essential commodities. In submission of learned counsel for the Petitioner these are matters of general knowledge for which the petitioner is not expected to produce any documentary evidence. Therefore, in submission of learned counsel for the petitioner, the petition as framed and filed is maintainable.

3. What is challenged in the instant petition is the decision on interim application for maintenance. The petitioner is having alternate most efficacious remedy of filing an appeal under Section 29 of the 'The Protection of Women from Domestic Violence Act, 2005'. The petition as framed and filed is not maintainable, hence, same is accordingly, dismissed.

(A. M. BADAR, J.)

