

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CRIMINAL WRIT PETITION NO.822 OF 2019

**IRFAN S/O ISMAIL BEG
VERSUS
SHABANA IRFAN BEG.**

Mr. G. R. Syed, Advocate for the petitioner
Mr. Shaikh Tarek, Advocate for the respondent

CORAM : N. R. BORKAR, J.

DATE : 02-12-2021

P. C.

. This petition challenges the order dated 25-03-02019, passed by the Additional Sessions Judge, Shrirampur in Criminal Revision Application No. 40 of 2019.

2. The respondent herein had filed an application under Section 12 of the Protection of Women from the Domestic Violence Act against the present petitioner. The learned Magistrate by order dated 05-10-2015 directed the petitioner to pay maintenance @ Rs. 500/- per month from the date of application. The petitioner was further directed to pay an amount of Rs. 10,000/- as compensation. In addition to above, the learned Magistrate directed

the present petitioner to handover the Stridhan i.e. the articles mentioned in list exh.37 to the respondent. The revision was filed against the said order. The learned Additional Sessions Judge treated the said revision as appeal. The learned Additional Sessions Judge after hearing the parties dismissed the revision/appeal by the order impugned.

3. On 18-09-2019, the petitioner had made the statement before this court and restricted the challenge in the present petition to the extent of directing the present petitioner to handover Stridhan.

4. I have perused the impugned order. It appears that no challenge was raised before the revisional /appellate court directing the petitioner to handover stridhan. The learned counsel for the respondent submits that the petitioner is not paying the maintenance as per the order passed by the learned Magistrate.

5. Considering the fact that no challenge was raised before the revisional/appellate court to the order of learned Magistrate directing the petitioner

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to hand over stridhan and as the petitioner committed default in paying the maintenance amount, which is only Rs. 500/- per month, I am not inclined to entertain the present petition. Therefore, the petition is dismissed.

[N. R. BORKAR, J.]

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