

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (O) NO. 458 OF 2020 IN
FAMILY COURT APPEAL NO. 111 OF 2014

(Shri Prakash Balwant Walke Vs. Asmita Prakash Walke & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri S.D. Abhyankar, Advocate for the appellant.
Ms. S.M. Maraskolhe, Advocate h/f Shri K.P.
Sadavarte, Advocate for the applicant/respondent
No. 1.

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CORAM : A.S. CHANDURKAR &
PUSHPA V. GANEDIWALA, JJ.
FEBRUARY 22, 2021.

Heard.

2. This is an application filed by the applicant/respondent No. 1 seeking direction to the appellant to deposit arrears of maintenance amount to the tune of Rs.22,40,000/- (rupees twenty two lakh fourty thousand).

3. It is stated that as per order dated 16/02/2016 passed in Petition No. C-75/2009, the Family Court No. 3, Nagpur has granted maintenance amount of Rs.18,000/- (rupees eighteen thousand) per month to the respondents, however, the appellant has committed default in payment of the maintenance.

4. Learned counsel for the appellant submits that the aforesaid order is under challenge before this Court in an appeal, i.e., First Appeal Stamp No. 7568/2016. The learned counsel for the respondent submits that the said appeal has been dismissed for want of prosecution while the learned counsel for the appellant submits that the restoration application filed in that appeal is pending.

5. Be that as it may, it is open for the respondent to execute the order dated 16/02/2016. Similarly, liberty is granted to the applicant/respondent No. 1 to move the present application in First Appeal Stamp No. 7568/2016, if so advised.

6. With the aforesaid observations, the Civil Application stands disposed of.

(JUDGE)

(JUDGE)

Sumit