

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****WRIT PETITION NO.3089 OF 2017**

Ajaysingh s/o Jagatpalsingh Khambare Vs. Sau. Dipali w/o Ajaysingh Khambare

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

Court's or Judge's orders.

None for both the parties.

CORAM : V.M. DESHPANDE, J.

DATE : 15th FEBRUARY, 2021.

None for both parties.

(2) This writ petition was filed in the year 2017 by the petitioner/husband challenging the order passed by the learned Civil Judge Senior Division, Daryapur in Hindu Marriage Petition No.85 of 2016 whereby the learned Judge partly allowed the application filed by the respondent/wife under Section 24 of the Hindu Marriage Act and directed the petitioner/husband to pay maintenance pendente lite of Rs.12,000/- per month and also directed to pay Rs.20,000/- as expenses of the proceedings.

(3) On 04.07.2017, notice was issued to the respondent and stay was granted subject to condition that petitioner shall continue to pay Rs.8,000/- per month to the respondent towards maintenance and making payment of Rs.50,000/- towards arrears of maintenance in two installments.

(4) Thereafter, this writ petition was listed from time to time and ultimately on 04.02.2020, counsel for the petitioner was absent, however a statement was made on

behalf of the learned counsel for the respondent that the matter is compromised between the parties and matter was adjourned. On 02.03.2020, a request was made for adjournment on behalf of Shri P.S. Raut, learned counsel for the petitioner. On the said day learned counsel for respondent informed the Court that the parties have already settled their dispute and they are living jointly. Thereafter, the matter was adjourned and listed on 20.01.2021. On 20.01.2021, the counsel for the petitioner was absent therefore, in order to give one chance to the counsel for the petitioner, the matter was adjourned for three weeks.

(5) Today, in the morning session, when the matter was called out the counsel for the petitioner was absent therefore the matter was kept in second half.

(6) In second half also when the matter was called out both the counsel for parties were absent.

(7) In view of the statement made by the learned counsel for the respondent on earlier occasion it appears that parties have settled their dispute and living together. Therefore they are not interested in prosecuting the writ petition. In that view of the matter, nothing survives in this writ petition. The writ petition is disposed of. No order as to costs.

JUDGE

Wagh