

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

WRIT PETITION NO.7238/2016

Manish s/o Manohar Sambhare

..VS..

Sau.Arpita w/o Manish Sambhare

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

Court's or Judge's Order

.....
None for the petitioner.

Shri Dilip Dani, Counsel for the respondent.

CORAM : V.M.DESHPANDE J.

DATED : FEBRUARY 08, 2021.

1. By this writ petition, the petitioner is challenging order dated 11.8.2015 passed by learned 4th Joint Civil Judge Senior Division, Nagpur below Exhibit-23 in HMP No.124/2012 whereby petitioner was directed to pay *interim* maintenance amount Rs.3000/- from the date of application till final disposal of the petition.

2. This Court (Coram : Z.A.Haq, J.), issued Notices in this writ petition on 8.3.2017. However, no stay was granted. Attempts were also made for mediation, but the mediation failed.

3. The matter was listed on 15.1.2021, however on the said day learned counsel Shri Sanjay Patrikar for the petitioner was absent. Learned counsel Shri Dilip Dani for the respondent was present. In order to give one chance to learned counsel for the petitioner, the matter was kept on 21.1.2021.

4. On 21.1.2021, learned counsel Shri Patrikar for the petitioner submitted that he has filed a Pursis along with

Notice to the petitioner for withdrawing his power and for that two weeks' time was granted.

5. Today, nobody is appearing for the petitioner.

6. Learned counsel Shri Dilip Dani for the respondent, tenders a photocopy of order dated 6.3.2017 that learned Judge below has already passed order below Exhibit-1 in HMP No.124/2012 and dismissed the matter for non-compliance of the order. The said order is taken on record and marked as Exhibit-X for the purposes of identification.

7. Since main HMP No.124/2012 is dismissed, nothing survives in this writ petition. The writ petition is disposed of as such.

8. It is open for the respondent to file appropriate proceedings for execution of the order which is impugned in this writ petition.

JUDGE

!! BRW !!