IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.47 OF 2022

Jaykumar s/o Bajirao Deshmukh … **PETITIONER**

VERSUS

Dhanshri w/o Jaykumar Deshmukh & ors.... **RESPONDENTS**

.....

Mr. D.U. Manwatkar, Advocate holding for
Mr. S.S. Randive, Advocate for petitioner

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CORAM : R. G. AVACHAT, J.

DATE : 10th MARCH, 2022.

PER COURT :

Heard learned counsel for the petitioner. The challenge herein is to the order at Exh.21 in the proceedings under Section 125 of the Code of Criminal Procedure. The respondent wife moved the said application seeking directions to the petitioner husband to pay the outstanding loan amount. The order impugned herein indicates that the Bank had issued a notice, calling upon the borrower namely the respondent to pay a sum of Rs.1,79,791/- due on the loan account. In the said house, the respondent wife has been residing. Provision for maintenance includes provision for residence. The learned Judge of the Family Court has, therefore, rightly directed the petitioner husband to clear the amount outstanding on the loan account. In view of the same, this Court is not inclined to issue notice to the respondent herein. Criminal Writ Petition is dismissed.

(R. G. AVACHAT)
JUDGE

fmp/-