

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 85 OF 2021****ASHISH CHANDRAKANT AJMERA****VERSUS****DARSHANA W/O. ASHISH AJMERA AND OTHERS**

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Advocate for Petitioners : Mr. Kedar Balbhim R.**Advocate for Respondents : Mr. Y. H. Jadhav**

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CORAM : KISHORE C. SANT, J.**DATE : 1st DECEMBER 2022.****Per Court :**

1. This petition is challenging the interim order in the domestic violence proceeding, directing the Petitioner/Husband to pay an amount of Rs.3000/- per month to wife (Respondent No.1 herein) and Rs.5000/- per month each to children (Respondent No.2 & 3 herein) from the date of filing of petition i.e. from 04.07.2019, till the disposal of the petition. In the meantime, there was also an order passed issuing distress warrant against the Petitioner. The same was stayed by this Court by order dated 18.03.2021. This order also recorded that the

Petitioner has already deposited Rs.1,25,000/-. On that there was stay granted to the distress warrant.

2. Now it is reported by the Respondents that the amount of arrears as on today is Rs.4,08,000/-. The submission of the Petitioner is that on one hand, the Respondents are pressing hard in the execution and on the other hand, they are not participating in the main proceeding and thereby there is no progress in the main proceeding.

3. This Court therefore is of the opinion that by directing the Petitioner to further deposit amount of Rs.200,000/- i.e. 50% of the total arrears as on today, direction can be issued to the learned trial Court to decide the main proceeding within six months from today, since the proceeding is of the year 2019. Hence the following order.

ORDER

- (i) The Petitioner to deposit of Rs.2,00,000/- (Rupees Two Lakh) in three installments. He shall deposit first installment of Rs.70,000/- by the end of this month i.e. December, 2022 and second installment of Rs.70,000/- by the end of January, 2023. Last installment of Rs.60,000/- will be deposited by the Petitioner before 28th February, 2023.

- (ii) Subject to that stay to distress warrant shall continue.
 - (iii) The trial Court is directed to decide the main proceeding within a period of six months from today.
 - (iv) Needless to say that the parties specially Respondents to this petition shall cooperate and shall not seek any unnecessary adjournment.
4. The Criminal Writ Petition is disposed off in the aforesaid terms.

[KISHORE C. SANT, J.]

Najeeb.