

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**943 CRIMINAL APPLICATION NO. 256 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.25 OF 2022
SATISH BHUJANGRAO GAIKWAD
VERSUS
SUJATA W/O. SATISH GAIKWAD AND ANOTHER**

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Smt. Shelke Manoj Uttamrao, Advocate for Applicants

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CORAM : M.G. SEWLIKAR, J.

DATE : 01st FEBRUARY 2022

PER COURT:

. It appears that respondent Nos.1 and 2 filed application under Section 125 of Code of Criminal Procedure, in which maintenance was awarded @ Rs.5,000/- per month to respondent No.1 and respondent No.2 each. It further appears that in divorce petition, the Family Court passed the order that if the arrears of maintenance are not paid till next date, the application for divorce petition shall stand dismissed. It appears that the application for maintenance was a separate proceeding. *Prima facie*, it appears that the order passed on 23rd December 2021 is not legal. In view of this, following order is passed.

ORDER

- (i) The impugned order dated 23.09.2021 is stayed subject to payment of Rs.50,000/- by the applicant to respondent No.1 and respondent No.2 within a period of one month from today and on the condition that he shall continue to pay Rs.2,500/- per month to each of the applicants, till the conclusion of the Revision.
- (ii) Application stands disposed off.

[M.G. SEWLIKAR, J.]