

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

CRIMINAL WRIT PETITION NO.516 OF 2020

Santosh s/o. Harishchandra Patil
and others

..Petitioners

Versus

Shaila s/o. Santosh Patil and Anr.

..Respondents

Mr.R.D.Kawade, Advocate for petitioners
Mr.B.N.Magar, Advocate for respondents

**CORAM : R.G. AVACHAT, J.
DATE : MARCH 07, 2022**

ORDER :-

Heard.

2. The challenge in this Writ Petition is to the order granting maintenance of Rs.20,000/- per month to respondent no.2-Shashwat, a twelve years child of petitioner no.1 and respondent no.1.

3. The matter has been settled. The terms of compromise have been placed on record. Learned Registrar (Judl.) has verified the same. I have also gone through the terms of compromise, whereunder, the petitioner has agreed to pay a sum of Rs.27,00,000/- towards maintenance of respondent no.2 (minor).

4. Respondent no.2 is in the custody of respondent no.1 - wife. An affidavit in terms of Order XXXII Rule 5 of the Code of Civil Procedure has been filed by respondent no.1. A certificate issued by the concerned Advocate has also been placed on record to the effect that the compromise is in the interest of respondent no.2 (minor).

5. It is informed that a sum of Rs.17,20,000/- is due from the petitioner towards arrears of maintenance as of today. Learned counsel for the respondents state that it was the wife (respondent no.1), who has spent for maintenance and well being of the child (respondent no.2). It is, therefore, prayed to pay her some major portion of the amount in cash.

6. In view of the above, I am inclined to dispose of the petition in terms of the compromise. Hence, the order:-

- (i) The Writ Petition stands disposed of in terms of the compromise.
- (ii) Out of the sum of Rs.27,00,000/-, an amount of Rs.14,00,000/- (Rupees Fourteen Lakhs) be kept in Fixed Deposit in the name of respondent no.2 (minor) – Shashwat s/o. Santosh Patil, until he attains the age of

majority. His mother, respondent no.1, be shown as guardian therefor.

- (iii) Although the petition stands disposed of, respondent no.1 shall file an affidavit on record, indicating compliance of this order, on or before 31.03.2022.

[R.G. AVACHAT, J.]

KBP