

Versus

Vaishali Gajanan Aarsekar and anr. ...Respondents

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Mrs. M.R. Tidke, APP for the State.

Mr. Akil Nair i/b Deepak Arun Lad for Respondent No.1.

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CORAM : N.R. BORKAR, J.

DATE : 20 July 2022.

P.C. :-

1. This Petition takes an exception to the order dated 11 November 2016 passed by the Family Court, Kolhapur below Exhibit-6 in Petition-E No. 42 of 2015.
2. By the order impugned, the Family Court directed the present Petitioner to pay an amount of Rs. 3000/- towards interim maintenance in the proceedings filed by the Respondent No. 1 under Section 125 of Cr.P.C.
3. I have perused the impugned order. It appears from the impugned order that the maintenance at the rate of Rs. 700/- was

granted to the Respondent No. 1 in civil suit filed by the Respondent No. 1 for maintenance. The said amount of maintenance was also not paid and thus the Petitioner was sent to jail.

4. Considering the overall conduct of the Petitioner, I am not inclined to entertain the present Petition against the order of interim maintenance.

5. The learned counsel for the Petitioner submits that the Petitioner has filed the proceedings under the Provincial Insolvency Act, 1920 for declaring him insolvent. The Petitioner is at liberty to raise all the contentions before the trial Court.

6. Writ Petition is dismissed.

(N.R. BORKAR, J.)