

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 86 OF 2023

SARFRAZ NAWABODDIN QUAZI

VERSUS

AFRIN W/O. SARFARAZ QUAZI AND ANOTHER

...

Advocate for Petitioner : Mr. Sayyed Tauseef Yaseen

...

CORAM : KISHORE C. SANT, J.

DATE : 30th JANUARY 2023.

Per Court :

Heard.

1. The petition is against the order dated 12.04.2022 passed by the learned Sessions Judge, Beed in Criminal Appeal No.10/2022 by which, the appeal is rejected. The appeal was against the order dated 11.01.2022 passed by the learned Judicial Magistrate First Class, Beed in proceeding under Domestic Violence Act, granting interim maintenance @ Rs.6000/- per month to the wife.
2. The learned Advocate for the petitioner/husband submits that the

amount is exorbitant and the Court below have not considered earning capacity of the petitioner. He further submits that though the wife has filed the proceeding and as interim relief granted in favour of her, she is not attending the Court now and she is only interested to protract the proceeding. However at the same time the husband is made to pay the amount every month. He submits that he is almost regularly paying the amount. From the conduct of the wife, it appears as per his submission that she is interested only getting the amount and she is not interested in the final disposal of P.W.D.V.A. No.1963/2020, which is pending since September, 2020. In view of this, ends of justice can be met by directing the learned JMFC to dispose off of the main proceeding as early as possible. Hence the following order.

ORDER

- (i) The Writ Petition stands disposed off.
- (ii) The learned JMFC is directed to dispose off the main proceeding i.e. P.W.D.V.A. No.1963/2020 as early as possible and preferably within a period of six months from today.

[KISHORE C. SANT, J.]

Najeeb.