

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO.367 OF 2005

BHAGWAN KISANRAO NAGARE
VERSUS
MISS JAYSHREE BHAGWAN NAGARE AND ANOTHER

...
Advocate for Applicant : Mr. Rahul Sancheti
...

CORAM : S. G. MEHARE, J.

DATE : 03-08-2023

PER COURT :-

1. Heard the learned counsel for the applicant. He states that there were change in the circumstances. The daughters who were granted maintenance have been married. He would also argue that since the marriage of husband and wife has been declared null and void, the order granting maintenance impugned before this Court by the wife has been cancelled under Section 127 of the Code of Criminal Procedure. The same remedy was available to him to seek the relief before the learned Magistrate under Section 127 of the Cr.P.C.

2. After having heard the learned counsel for the applicant at length, he agreed that instead of contesting the matter here, the appropriate remedy under Section 127 of the Cr.P.C. would be exhausted. In view of his statement, this petition stands dismissed.

3. R & P be returned to the Court of Judge, Family Court, Aurangabad.

(S. G. MEHARE, J.)