

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2631 OF 2023
IN WP/1100/2021 WITH WP/1100/2021

MANISHA ANAND WANKHEDE
VERSUS
ANAND SHATRUGHN WANKHEDE

...

Advocate for Applicants : Mr. S. G. Shinde h/f
Mr. N. L. Chaudhari
Advocate for Respondents : Ms. N. I. Deshmukh h/f
Mr. D. A. Mane

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CORAM : R.M. JOSHI, J
DATE : OCTOBER 26, 2023

PER COURT :

1. At the outset, learned Counsel for the Applicant seeks leave to correct the nomenclature of the application.
2. Leave granted.
3. This application is filed by Respondent in WP/1100/2021 for withdrawal of a sum of Rs. 3 lacs deposited by the Petitioner/husband while obtaining stay of the orders dated 04.05.2022 and 15.06.2022. It is his contention that since year 2018 she has not been paid maintenance and hence, she be allowed to withdraw the amount.

4. Learned Counsel for Respondent/Orig. Petitioner objected for the same.

5. There is nothing on record to indicate that pursuant to the orders impugned, any amount of maintenance is paid by the husband to the wife. The contention of the wife that since year 2018 she has not been paid any maintenance by husband is not denied by husband.

6. In view of above, application deserves to be allowed. Hence, application is allowed in terms of prayer clause 'B'.

7. List the Petition for hearing on 18th December, 2023.

(R.M. JOSHI, J.)

Malani