

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

**FAMILY COURT APPEAL NO.85 OF 2023
WITH CA/12075/2023 IN FCA/85/2023**

**VAIBHAV SUKRAM CHAUDHARI
VERSUS
JYOTI SURESH CHAUDHARI**

...

Appellant : Party in Person

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 4 OCTOBER 2023

PER COURT :

Heard.

1. The appellant who appears in person is coming with the following prayers :

- (a) R & P may be called.
- (b) That pending the hearing and final disposal of the petition the Hon'ble Court be pleased to stay proceeding of Pet A 321/2022 before trial Court.
- (c) Hon'ble Court be pleased to quash proceeding of Pet A 321/2022 before trial Court.
- (d) That this Hon'ble Court be pleased to quash and set aside the Interim Maintenance order dated 17.07.2023.
- (e) That this Hon'ble Court be pleased to direct trial Court to decide application u/s 340 of Cr.P.C. i.e. Exh 22 of the original petition.

(f) That this Hon'ble Court be pleased to reduce interim maintenance amount as per Affidavit of assets of liability.

Any other such order that this Hon'ble Court may deem fit.

2. We have heard appellant in person. When it was indicated that the challenge being put up by him to the order of interim maintenance under Section 24 of the Hindu Marriage Act passed by the Family Court would be an interlocutory order in the light of decision of this Court in the matter of Sunil Hansraj Gupta Vs. Payal Sunil Gupta, 1991 (1) Mh.Lj 737, he seeks leave to withdraw the appeal with liberty to avail of the appropriate remedy as is available to him in law.

3. The family court appeal is dismissed as withdrawn with liberty as prayed for. Civil application is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb.