

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 CRIMINAL WRIT PETITION NO.1338 OF 2021

SACHIN SHASHIKANT PATIL THROUGH HIS GUARDIAN SHASHIKANT
MADHAVRAO PATIL
VERSUS
VARSHA W/O. SACHIN PATIL

Mr. Suvidh S. Kulkarni, Advocate for the petitioner.

Mr.Pankaj Patil h/f. Mr. Satej S. Jadhav, Advocate for the respondent.

CORAM : KISHORE C. SANT, J.
DATED : 03.04.2023

PC :-

01. Heard. After hearing the parties for some time, it is seen that the impugned order is passed on 05.08.2021 directing the petitioners-husband to pay rental amount of Rs.7000/- per month. Same was challenged by the petitioner-husband by filing Criminal Appeal No.32 of 2021 in the Court of learned Sessions Judge at Dhule.

02. By order dated 11.10.2021 the order is partly modified by directing the petitioner-husband to arrange two rooms in the shared house for the respondent-wife till further orders and the respondents are restrained from alienating the shared house till final disposal of the main petition.

03. Since the order is only interim order this Court is not inclined to entertain the petition. However, grievance is raised by the respondent-wife that inspite of orders neither rooms are provided to the respondent-wife nor rental amount is paid. However, she accepts that she has already filed petition for execution and that is pending before the Trial Court.

04. The purpose would be served by directing the learned Trial Court to dispose off the proceedings bearing PWDVA No.460 of 2015 pending before the learned JMFC, Dhule as expeditiously as possible and preferably within a period of six months from today. It is expected of the petitioner-husband to pay rental amount to wife to show his bonafides. The learned Advocate for the petitioner states that since the wife had initially made prayer for maintenance of Rs.5000/-, however, the learned JMFC had granted rental amount at the rate of Rs.7000/- per month which is excessive and therefore revision was filed. He is ready to deposit Rs.5000/- per month. The learned Advocate for the respondent-wife also fairly accepts the proposal.

05. Till the disposal of the main proceeding, the petitioner-husband will clear the arrears in suitable installments and will continue to pay

Rs.5000/- (Rupees Five Thousand) per month to the respondent-wife. Since the order is on concession, this Court does not feel necessary to go into the merits of the matter.

06. The criminal writ petition is accordingly disposed off.

[KISHORE C. SANT, J.]