

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1053 OF 2023
IN
CRIMINAL WRIT PETITION NO.2097 OF 2022**

Vishal Gopal Sonar Applicant
versus
Ashvini Vishal Sonar & Ors. Respondents

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- Mr. Jayndra D. Khairnar, Advocate for Applicant
- Ms. Shivani Wadnere, Advocate for Respondent No.2.
- Mr. Arfan Sait, APP for the State/Respondent No.1.

CORAM : SARANG V. KOTWAL, J.
DATE : 06th JULY, 2023

P.C. :

1. This application was filed by the Applicant/husband seeking modification of the order dated 23/01/2023 in respect of paragraph No.3 of the said order.

2. The said paragraph directs the husband to clear all the arrears of maintenance within next two months from the date of the order i.e. 23/01/2023. The present Interim Application was heard on 25/04/2023 and the following order was passed :

“P. C. :

1. The husband has filed present application seeking modification of order dated 23rd January 2023, whereby the husband was directed to deposit entire arrears of maintenance.

2. Learned advocate for the respondent/wife submitted that amount of Rs.1,35,000/- is required towards educational expenses of child, it needs to be deposited in the school before end of April 2023.

3. The application/husband is, therefore, directed to pay amount of Rs.1,50,000/- to the wife before 30th April 2023. The remaining amount of Rs.1,00,000/- shall be deposited by the end of May 2023 and balance amount shall be deposited by the end of June 2023.

4. Stand over to 3rd July 2023.”

3. Learned counsel for the Applicant/husband submitted that he has deposited Rs.1,50,000/- before end of April 2023. He has also deposited Rs.1,00,000/- before the end of May 2023. However, for remaining balance amount he had approached the Trial Court on 30/06/2023. But the presiding

officer was not available and because of procedural difficulty, the amount could not be deposited. Considering this situation, I am inclined to extend the period for depositing the balance amount till end of July 2023.

4. Hence, the following order :

ORDER

- (i) The period to deposit balance amount as described in the order dated 25/04/2023 is extended upto end of July 2023.
- (ii) During that period, the office of the Trial Court is directed to accept the amount which is to be deposited by the husband.
- (iii) With these observations, the Interim Application is disposed of.

(SARANG V. KOTWAL, J.)