

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

REVISION APPLICATION NO.228 OF 2022

Mr. Abdul Razzak Mohammed

Ibrahim Khan

.. Applicant

v/s.

Mrs. Tabassum Abdul Razzak

Khan & Anr.

.. Respondents

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Mr. Subhash Jha, a/w. Ms. Raveena Yadav, i/b. Ms. Raveena Yadav, for the Applicant.

Mr. Vijay S. Thakur, for Respondent No.1.

Mr. A.R. Patil, APP, for State.

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CORAM: R.G. AVACHAT, J.

DATE : 2 JANUARY 2023.

P.C:-

After having heard the learned Advocate for the Applicant, the Court expressed disinclination to interfere with the order impugned herein. The order is of granting interim maintenance. The learned Advocate for the Applicant informs that the parties have not complied with Apex Court directions in case of *Rajnesh vs. Neha And Another*¹. He, therefore, urge for setting aside the impugned order with remanding the matter to trial court to decide afresh. It is true that

1 (2021) 2 Supreme Court Cases 324

the parties have not complied with the directions of the Apex Court in *Neha* (supra) case. The impugned order herein appears to have been passed on basis of some material. It is, therefore, reiterated that the Court is disinclined to interfere with the order impugned herein. The trial court is requested to see that the parties comply with the directions of the Apex Court in *Neha's* case and decide the matter on its own merits uninfluenced by the interim order passed by the very court. The Respondent is at liberty to move for execution.

2. The learned Advocate for the Applicant makes a statement that 50% of the arrears of Rs.14 lakhs would be deposited within period of four weeks. The trial court is requested to decide the matter within a time-frame of six months from the date of receipt of copy of this order. If the balance amount is not paid within next three months, the Respondent shall be at liberty to initiate execution proceedings for recovery of the same. Once the amount is deposited, the trial court shall disburse the same to the Respondent-wife immediately.

3. Petition stands disposed of.

(R.G. AVACHAT, J.)