

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1934 OF 2023

Baraku Rama Jadhav

...Petitioner

V/s.

Rekha Baraku Jadhav & Anr.

...Respondents

Mr. Anilkumar Patil, for the Petitioner.

Ms. Pooja Malik i/b N. R. Bubna, for Respondent No.1.

Mr. M. G. Patil, APP, for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : OCTOBER 13, 2023

P.C.:

1. By the order dated 8th September 2023 this Court has passed the following order :-

“1. By the impugned order dated 27.03.2023 passed by learned Additional Sessions Judge, Malegaon, District – Nasik in Criminal Revision Application No. 82 of 2017, maintenance of Rs.8,500/- per month has been directed to be paid from the date of the Application i. e. with effect from 07.04.2011. To show *bona fides*, the Petitioner is directed to pay Rs. 1,00,000/- to the wife immediately i. e. on or before 15.09.2023 and pay additional Rs. 3,00,000/- in the account of Respondent No. 1 – wife on or before 05.10.2023. On the said condition, *ad interim* relief that no coercive steps be taken is granted till the

next date i. e. 06.10.2023.

2. Mr. Sagar Patil, learned counsel appearing for Respondent No. 1 - wife submitted that the Petitioner may be directed to pay atleast 50% amount of the maintenance. That request will be considered on the next date.

3. Stand over to 06.10.2023.”

2. Mr. Patil, learned counsel appearing for the Petitioner fairly states that his client has not complied with the said order.

3. By the order dated 27th March 2023 passed by the learned Additional Sessions Judge, Malegaon by which maintenance of Rs.8,500/- per month was directed to be paid to the Respondent-wife w.e.f. 7th April 2011.

4. It is admitted position that not a single Rupee has been paid by the Petitioner to the Respondent-wife. It is also admitted position that the Petitioner is working as Assistant Teacher in grant-in-aid school. The salary slip which has been produced at the relevant time shows that his income was about Rs.47,000/- per month.

5. Therefore, this is not a case where interference of this Court under Article 227 of the Constitution of India is warranted.

6. Accordingly, the Writ Petition is dismissed, however, with no order as to costs.

[MADHAV J. JAMDAR, J.]