

GRM

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

CRIMINAL WRIT PETITION NO. 2753 OF 2015

Pankaj Jangbahadur Kapoor & Ors. ... Petitioners

V/s.

Seema Pankaj Kapoor & Ors. ... Respondents

Ms. Shraddha Sawant, Adv. for the Petitioners.

Ms. Anamika Malhotra, APP for the State/Respondent.

Mr. Shreeram Shirsat a/w Nishi Singhvi a/w Mr. Shekhar Mane
a/w Mr. Madhur Salkar, Adv. for the Respondent No. 1.

CORAM : R. G. AVACHAT, J.

DATED : JANUARY 10, 2023

P.C. :

1. Heard.

2 The challenge in this petition is to the order dated 19/12/2014 in OMA No. 243/2008 passed by the learned Sessions Judge modifying the order of learned JMFC and granting maintenance to the respondent from the date of application instead of order. The husband is challenging the said order contending that the order granting maintenance, ought to have been from the date of order instead of from the date of application.

3. The issue no longer *ex-gratia*, in view of the guidelines of Hon'ble Apex Court in the case of **Rajnesh v/s. Neha and Another** reported in **(2021)2 Supreme Court Cases 324**. Clause (d) of the Final Directions in the said judgment reads thus :-

“(d) Date from which maintenance is to be awarded – We

make it clear that maintenance in all cases will be awarded from the date of filing the application for maintenance, as held in Part B-IV above.”

4. In view of the above, the petition stands dismissed and disposed of accordingly.

(R. G. AVACHAT, J.)