

AGK

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

**WRIT PETITION NO.2979 OF 2019
WITH
INTERIM APPLICATION NO.3500 OF 2022
IN
WRIT PETITION NO.2979 OF 2019
WITH
INTERIM APPLICATION NO.3972 OF 2022
IN
WRIT PETITION NO.2979 OF 2019**

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Akilabanu Zahid Ali Ansari and Ors. ... Petitioners

V/s.

Ali Abdul Latif Ansari and Anr. ... Respondents

Mr. Prakash N. Wagh for the petitioners.

Mr. Rajendra Rathod with Mr. Sohail Ahmed with Mr.
Irum Shaikh for respondent no.2.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 17, 2023

P.C.:

Interim Application No.3500 of 2022:

1. The wife has filed present interim application seeking direction against the husband to pay expenses of marriage of their daughter. The original petition arises out of proceedings under section 125 of the Criminal Procedure Code, 1973. Therefore, entertaining such application would be travelling beyond the scope of the writ petition. However, the applicant shall be entitled to file

such application before appropriate Court in appropriate proceedings or independent proceedings.

2. The interim application is disposed of accordingly. No costs.

Interim Application No. 3972 of 2022:

3. The present interim application has been filed for willful disobedience of order dated 19th August 2022. At the relevant time, amount of Rs. 3 lakh was in arrears. It is not in dispute that during the pendency of the present application, an amount of Rs.3 lakh has been deposited. Therefore, the case for willful disobedience of the order has not been made out.

4. The interim application stands disposed of accordingly. No costs.

Writ Petition No.2979 of 2019:

5. According to the wife, the husband is in arrears of maintenance. The husband is directed to clear entire arrears of maintenance as of today within three (3) weeks from today.

6. Stand over to **10th March 2023**.

(AMIT BORKAR, J.)