

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.173 OF 2023

Pravin s/o Shripatrao Sheware
.Vs.
Smt. Alka D/o Namdeo Khedkar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Shri Pravin s/o Shripatrao Sheware, petitioner in person.
Shri Harshad Jichkar, advocate for the respondent.

CORAM : G.A. SANAP, J.
DATE : 20/04/2023

Heard petitioner in person and Shri Harshad
Jichkar and learned Advocate for the respondent. Perused
the record and proceedings.

2. In this petition, the petitioner has challenged
the order dated 11.01.2023 whereby the learned Judge of
the Family Court was pleased to reject his application at
Exh.18. As per Exh.18 the petitioner had sought
direction to the respondent to file affidavit of assets and
liabilities. It is to be noted that order awarding interim
maintenance was passed in favour of his daughter on

10.03.2016. The petitioner has been directed to pay a sum of Rs.3,000/- per month to his daughter by way of interim maintenance from 18.10.2014. It is to be noted that this order awarding interim maintenance has not been challenged so far.

3. The grievance of the petitioner is that in the execution proceeding, he has been directed to pay the arrears of maintenance. Even a warrant of arrest was issued against him. After issuance of warrant, he has deposited the arrears. It is to be noted that the maintenance has not been claimed by the wife. The maintenance application has been filed by the daughter. It is, therefore, seen that learned Judge was right in rejecting the prayer made by the applicant seeking direction to the wife to file the statement of her assets and liabilities.

4. In my view, therefore, there is no need to

interfere in the order passed by the learned Judge of the Family Court.

5. The petitioner has made a grievance that despite order dated 29.08.2013 he has not been given access to his daughter. As far as his grievance is concerned the petitioner has right to apply before the Family Court to seek the execution of that order.

Corrected
as per
Court's
order dated
26.07.2023
in Appw
No.108/23

6. It is made clear that as and when such an application is made by the petitioner, the learned Judge shall verify about the existence of said order and issue appropriate direction for compliance of the said order, if it is in existence as on today.

7. In view of above, I do not see any substance in the petition. The petition is dismissed.

(G. A. SANAP, J.)