



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 1523 of 2020

Sau. Sushama W/o Arjun Gawande

Versus

Arjun S/o Diliprao Gawande

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri N.R.Tekade, Advocate for the petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 17th OCTOBER, 2023.

Heard.

2. The Order Below Exhibit 12 dated 7th October, 2019 passed by the learned Civil Judge, Senior Division, Akola in MHP No. 33 of 2019, rejecting the application for grant of interim maintenance, is under challenge in this writ petition.

3. While rejecting the application, the learned Civil Judge, Senior Division has observed thus:

“... If both the parties are ready to speedy proceeding of the application, it will not take any more time for final disposal that the respondent is appeared in the application. If the applicant will file his evidence early as possible, then the

application will be decided immediately and therefore, in these circumstances for speedy disposal of the application it is not necessary to award interim maintenance to the respondent.”

4. This writ petition was pending since 4th March, 2020 i.e. for more than two and half years and learned counsel for the petitioner fairly states that though he tried to get the instructions as regards the present status of the HMP proceeding, he could not get the same.

5. Be that as it may, the fact remains that the interim maintenance was denied on the ground that the Court was intending to dispose of the main proceeding at the earliest. I do not find any error committed, accordingly, the writ petition is dismissed.

6. It is further made clear that if HMP is pending, the learned Civil Judge, Senior Division, Akola, is directed to decide the same within six months from today.

[ANIL S. KILOR, J.]