



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

Criminal Writ Petition No. 302 of 2023

- (1) Mrs. Veena w/o Yogesh Guru,
Aged about 46 years,
Occ : House Wife,
R/o-Plot number 86, Kunjilal parate
Nagar, Near Sonegaon lake
Nagpur - 440025.
- (2) Master Bhargav S/o Yogesh Guru,
Aged about 14 years,
Occ : Student,
R/o-Plot number 86, Kunjilal parate
Nagar, Near Sonegaon lake,
Nagpur - 440025.
(Through his mother i.e. Petitioner No. 1)

... Petitioners

- VERSUS -

Yogesh s/o Prabhakar Guru,
Aged about 46 years, Occ : Business,
R/o-Tilak Nagar, At Post Brahmapuri,
Dist. Chandrapur – 441 206

... Respondent

Mr. S. P. Sonwane, Advocate for the petitioners
None for the respondent

CORAM : ANIL L. PANSARE J.

DATED : 19-10-2023

ORAL JUDGMENT

Heard.

2. Rule. Rule made returnable forthwith.

3. The challenge is to the order dated 23-11-2022 passed by learned Family Court No. 3, Nagpur in Petition No. E-314/2013 (Mrs. Veena W/o Yogesh Guru Vs. Yogesh Prabhakar Guru).

4. None appeared for the respondent though served.

5. Having heard learned counsel for the petitioner and having gone through the impugned judgment, it appears that parties have not filed statements of assets and liabilities in terms of law laid down by the Hon'ble Supreme Court in the case of ***Rajnish Vs. Neha and anr. [(2021) 2 SCC 324]***. The Apex Court has issued guidelines, one of which is that in all pending cases, the parties shall place on record the statements of assets and liabilities.

6. In the present case, it appears that the parties failed to adhere to the aforesaid guidelines. The Family Court has also not sought compliance from the parties. The order passed by the Family Court, therefore, will have to be set aside and it stands set aside accordingly. The petition is restored on the file of the Family Court, Nagpur.

7. The parties shall submit the statements of assets and liabilities as mentioned in the judgment of the Hon'ble Supreme Court in the case of ***Rajnish Vs. Neha and anr.***

8. The petitioners shall appear before the Family Court, Nagpur on 1-11-2023.

9. Learned Judge of the Family Court, Nagpur will thereafter summon the respondent and proceed with the proceedings in accordance with the provisions of law and the law laid down by the Hon'ble Apex Court in the case of ***Rajnish Vs. Neha and anr.***

10. As regards maintenance, the order passed by the Family Court shall be treated as the order granting interim maintenance to the petitioners. The respondent shall pay the maintenance, including arrears of maintenance in terms of the said order.

11. The petition is disposed of in above terms.

(Anil L. Pansare, J.)

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