



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

Criminal Revision Application No. 213 of 2022

au. Bhavana @ Kavita W/o Jitendra Varma and anr. ..vs.. Jitendra S/o Fulchand Varma]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. S. Chourasia, Advocate for the applicants
Mr. N. R. Kanungo, Advocate for the non-applicant

CORAM : ANIL L. PANSARE J.

DATED : 5-12-2023

During the course of hearing, it is revealed that the parties herein have not filed affidavit of assets and liabilities before the Family Court, Akola in terms of the judgment passed by the Hon'ble Supreme Court in the case of ***Rajnish Vs. Neha and anr. [(2021) 2 SCC 324]***.

2. The Supreme Court has issued directions that in pending matters, the parties shall file statement of assets and liabilities. The same has not been done in the present case. The order of Family Court, Akola is, therefore, required to be quashed and set aside with direction that Family Court shall consider the issue of maintenance in the light of judgment of the Supreme Court in the case of ***Rajnish Vs. Neha and anr.***

3. Accordingly, the impugned judgment and order dated 10-1-2022 passed by the Family Court, Akola in Petition No. E - 49/2018 is quashed and set aside.

4. Petition No. E - 49/2018 is restored on the file of Family Court, Akola to decide the same afresh in terms of judgment in the case of ***Rajnish Vs. Neha and anr. .***

5. The non-applicant – husband shall in the meantime to pay maintenance as directed by the Courts below until the same is modified by the trial Court.

6. The parties shall appear before the Family Court, Akola on 20-12-2023 and shall file on the same date the statement of assets and liabilities, failing which, the learned Judge of Family Court, Akola shall pass appropriate order in this regard.

7. The application is disposed of in above terms.

(Anil L. Pansare, J.)

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