

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

CRIMINAL WRIT PETITION NO. 574 OF 2023

Manish S/o. Vithoba Ghodeswar and Anr.

VS.

Manisha D/o. Vithoba Ghodeswar and Anr.

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

Mr A. A. Vastani, Advocate for the petitioners
Ms Shamsi Haider, APP for the State

CORAM : G.A. SANAP, J.
DATE : AUGUST 11, 2023.

Heard the learned Advocate for the petitioners.
Perused the record and proceedings.

2. In this writ petition, challenge is to the judgment and order dated 28.02.2023 passed by the learned Sessions Judge, Gondia whereby the learned Sessions Judge dismissed the appeal filed by the petitioners under Section 29 of the Protection of Women from Domestic Violence Act, 2005. The appeal was filed against the order of learned Judicial Magistrate First Class, Gondia, whereby the petitioners were directed to file the affidavit of assets and liabilities, so as to enable the Court to decide the issue of quantum of maintenance claimed by the respondent.

3. It is to be noted that the party in possession of the information as to the assets and liabilities can place it on record by way of affidavit and justify the defence. Such affidavit can be used in a given case as evidence in rebuttal for the main claim for maintenance. In this Court, both the Courts have taken all these facts into consideration. I do not see any substance in the petition. The writ petition stands **dismissed.**

(G. A. SANAP, J.)

Namrata