



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 652 OF 2024

SHRADHA W/O. SANKET JAMDADE
VERSUS
SANKET UTTAMRAO JAMDADE

Advocate for the Petitioner : Ms. P. P. Wangikar holding for
Mr. R. V. Gore

Advocate for Respondent : Mr. D. S. Patil holding for
Mr. S. S. Gangakhedkar

CORAM : S. G. MEHARE, J.

DATE : 22-07-2024

PER COURT :-

1. Heard the learned counsel for the petitioner and the learned counsel for the respondent.
2. When the cases are brought to the High Court against the orders of the subordinate judiciary that do not cause any harm or affect the rights, one wonders whether the standard of legal advice is deteriorated or the ego of the litigant is skyrocketed. A wife who is fighting for maintenance impugned the order of setting aside the orders of no written statement. That raises a serious question: does she really need the maintenance? In this case, only the ego reflects. Nowadays, the mounting of matrimonial disputes is a matter of great concern. The matrimonial life is made very short. The educated couples seem to be less likely to see the changing value of matrimonial life. Most of the couples are seen

distracted. Not only they but also their families are disturbed. This case is an example of the business-oriented trend in the profession. Had appropriate advice been given, a poor lady would have been convinced that filing such a petition was a waste of money and time. She could avoid mental pains also. A prudent man would think like this. However, the other side of the coin may be different. Even after the advice, she might insist on impinging the order. The ultimate result is that no one would benefit. The legal professionals know the results of such petitions. Before passing the orders, the Court had expressed the opinion. However, the matter was argued.

3. The Court below did not pass a plain order; the petitioner was compensated by imposing a cost of Rs.3000 against the respondent/husband. Considering the litigation expenses in the High Court and the readiness of the petitioner, it shows that she is not in need of maintenance. She appears to have hidden income. It is a chance petition, having no substance at all. In the circumstance, the Court did not find a substance in the petition. Such unwanted litigations should be prevented in the larger interest of the other litigants. Therefore, though sympathy is normally considered in matrimonial disputes, the Court is taking a strict view considering the way of dispute. The petition, being devoid of merit and wasting the valuable time of the Court, stands dismissed with costs of Rs.5,000/- (Rs. Five Thousands) to be paid

to the Cancer Relief Fund of Government Hospital and Training Institute (GHATI), Aurangabad. The costs should be deposited within three weeks from today. Its receipt be produced before the concerned Trial Court.

4. It is made clear that the findings are restricted to this writ petition only.

(S. G. MEHARE)
JUDGE

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