



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 CRIMINAL WRIT PETITION NO. 1580 OF 2023

Srushti Unmesh Jondhale U/g Shilpa Umesh Jondhale and another
VERSUS
Unmesh Pandharinath Jondhale

...
Advocate for the Petitioner : Mrs. Sangeeta H. Desarda a/w R.D.
Reddy and Ms. Akanksha Sagar
Advocate for Respondents : Mr. A.P. Deshmukh
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CORAM : SHIVKUMAR DIGE, J.
DATED : 5th AUGUST, 2024.

PER COURT :-

1. Heard learned counsel for the petitioners and learned counsel for the respondent.
2. By this petition, the petitioners have challenged the order dated 27.4.2023 passed by the Judge, Family Court, Parbhani below Exh.6 in petition-E No. 2 of 2021.
3. It is the contention of the learned counsel for the petitioners that the petitioners had filed maintenance application before the Family Court for getting maintenance for her two children but the Family Court has rejected the said application, hence, requested to allow the writ petition.
4. It is the contention of learned counsel for the respondent that during pendency of this writ petition, the daughter is staying with the petitioner whereas the son is staying with the respondent. During

pendency of this writ petition, one more application was filed before the Family Court for getting maintenance for daughter. The said application is allowed and interim maintenance of Rs.5,000/- has been granted to the daughter. Learned counsel further submitted that the said order is passed exparte. Hence, this petition has become infructuous and requested to pass the appropriate order.

5. I have heard both the learned counsel. Perused the impugned order. In the impugned order, the Family Court has observed that both the children are staying with the respondent and on that ground the learned Judge of the Family Court has rejected the application. As per the contention of learned counsel for the respondent that out of two children, daughter is staying with the mother since March, 2024 and son is staying with the respondent father. During pendency of this writ petition, the Family Court has granted interim maintenance to the daughter of the petitioner, hence nothing survives for consideration in this writ petition. Though it is the contention of the learned counsel for the respondent that the said order is passed behind back of the respondent, but the said order has not been challenged. Hence, I do not see merit in the said contention. Accordingly, the writ petition is dismissed and disposed of.

(SHIVKUMAR DIGE, J.)