



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

935 CRIMINAL WRIT PETITION NO. 1792 OF 2023

**AQEEL RASOOL BAIG
VERSUS
RAHAT JUVAIRIYA W/O AQEEL BAIG AND ANOTHER**

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Advocate for the Petitioner : Mr. Kadu Shivraj B
Advocate for Respondents : Mrs. Ansari Asfia Nuzhat

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**CORAM : Y.G. KHOBRAGADE, J.
DATE : 25.10.2024**

PC.:-

1. As per order dated 02.04.2024 the parties to the present petition were referred to the Mediator. Accordingly, the Mediator Mrs. S.G. Chincholkar submitted its report dated 12.04.2024 showing that the mediation is successful. The said mediation report is taken on record and marked 'X' for identification.

2. The learned counsel appearing for the Petitioner submitted that on 23.10.2024 the present Petitioner deposited Rs.54,000/- before the Family Court, Aurangabad under Book No.3735, Serial No.533.

3. Mrs. Ansari the learned counsel appearing for the Respondent-Wife submits that the Petitioner is in arrears of maintenance amount of one

year. Therefore, as per mediator report Exh.X, if the Petitioner-Husband clears all the arrears of maintenance, the learned Family Court, Aurangabad shall hear the Application No.E-234/2021 on merits.

4. In view of the above, the impugned order dated 01.04.2022 is hereby quashed and set aside. The matter is remanded back to the Family Court for a fresh hearing. Accordingly, the petition is disposed of.

[Y.G. KHOBRADE, J.]