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IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.5 OF 2020

SUNITA SANTOSH SURYAVANSHI., ... PETITIONER
Versus
SANTOSH MAHADEV SURYAVANSHI., ... RESPONDENT

Mr L. Raghunandan, Advocate for the petitioner under Legal Aid Scheme.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 30th July, 2024

P.C.

1. Heard Mr Raghunandan, learned counsel for the petitioner under legal aid scheme. None appears for the respondents.
2. Vide order dated 8.7.2024, learned Executing Court is directed to take up the matter and pass suitable order for recovery of maintenance as well as arrears and report compliance.
3. Vide order dated 25.7.2024, learned incharge Court forwarded compliance submitting that employer of the respondent started deducting an amount of Rs.12500/- towards maintenance amount as well as arrears from April 2023 and such amount is deposited in the account of the petitioner maintained in State Bank of India.
4. Mr. Raghunandan appearing for the petitioner submits that though such deduction started from April 2023, arrears is more than six lakhs with regard to charges for accomodation. He submits that it

will take years together for recovery of arrears.

However, a report from the learned incharge Court shows that deduction from the salary is only permissible which has been ordered to be deducted.

5. Mr Raghunandan submits that petitioner is desirous of taking necessary steps for recovery of such arrears by other modes and for that purpose petitioner would approach the trial Court by filing necessary application disclosing the details of movable and immovable property of the respondent for adjudication. Since substantial relief stands worked out as far as the present petition is concerned, same could be disposed of with liberty to the petitioner to approach learned Executing Court by filing applications for recovery of arrears.

6. It is made clear that this Court has not gone into the merits or grounds raised in the present petition which are kept open.

7. It is made clear that since the matter is pertaining to the maintenance and the accommodation charges, the learned trial Court is directed to take up such proceedings on priority basis and decide the same as early as possible. Petitioner is free to approach the trial Court for recovery of arrears.

8. With these observations, the petition stands disposed of.

BHARAT P. DESHPANDE, J.