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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

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INTERIM APPLICATION NO.1084 OF 2024

IN

CRIMINAL REVISION APPLICATION NO.379 OF 2019

Neeta A. Nagarkar

...Petitioner

V/s.

Anand A. Nagarkar & Anr.

...Respondents

Mr.Hitesh P. Shah for the Applicant in IA No.1084 of 2024 and Original Respondent No.1 in REVN No.379 of 2019.

Ms.Rukmini Khairnar for the Applicant in REVN No.3749 of 2019.

Mr.Swapnil Pednekar, APP for the State - Respondent.

CORAM : RAJESH S. PATIL, J.
DATE : 22ND MARCH, 2024.

P.C. :-

1. This Application is filed by the Applicant / Wife seeking to withdraw the amount of monthly maintenance deposited by the Respondent Husband. This Court by its order dated 14 December 2020 has allowed the Applicant / Wife to

withdraw the amount deposited by the Respondent / Husband.

2. Mr.Shah submits that the Court Department is not allowing the Applicant, who is Neeta Anand Nagarkar @ Neeta Kailash Shelar, to withdraw the amount of Rs.2,00,000/- along with accrued interest deposited by the Respondent / Husband in her bank account, titled as “Neeta Kailash Shelar”.

3. I have gone through the contents of Interim Application No.1084 of 2024. According to me, case is made out to allow this Interim Application in terms of prayer clause (a). Prayer clause (a) of Interim Application No.1084 of 2024 reads as under :-

“(a). Allow this Application and direct the Registry to transfer the amount of Rs.2,00,000/- of Monthly Maintenance deposited by the Revision Applicant in this Court to the Bank Account having maiden name of the Applicant i.e. Neeta Kailash Shelar in accordance with the order dated 14/12/2020.”

4. The Interim Application is accordingly disposed of.

WITH
CRIMINAL REVISION APPLICATION NO.379 OF 2019

Anand A. Nagarkar & Anr.

...Petitioners

V/s.
Neeta A. Nagarkar

...Respondent

1. Mr.Shah appearing for the Respondent /Wife in Criminal Revision Application No.379 of 2019 submits that the Applicant / Husband having obtained the stay from this Court on 22 October 2018, has chose not to pay any amount to the Respondent / Wife. Mr.Shah submits that the Respondent / Wife is housewife.

2. Since it is a matter of record that the Applicant / Husband has chosen not to deposit or pay any amount towards maintenance after passing of the order dated 22 October 2018, hence according to me, case is made out to vacate the order dated 22 October 2018. Accordingly, the *ad-interim* relief granted in terms of prayer clause (a) of the Criminal Application No.94 of 2018, stands vacated.

(RAJESH S. PATIL, J.)