



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12165 OF 2024.

Milind Ramchandra Chavan

...Petitioner.

Versus

State Of Maharashtra And Ors.

...Respondents.

Mr. S. R. Mishra for the Petitioner.

Ms. Savita Prabhune for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : 2nd September, 2024.

P. C. :

1. A frivolous Petition under Article 227 of the Constitution of India has been filed seeking relief of quashing and setting aside the Application which has been taken out by the daughter of the petitioner before the Family Court seeking payment of the arrears of maintenance from the Petitioner.

2. Learned counsel for the Petitioner is unable to explain the maintainability of the petition under Article 227 of the Constitution of India for the relief of quashing and setting aside the execution proceedings.

3. The other prayer which is sought is for a direction to the Family Court, Kolhapur to decide the Darkhast taken out in the petition which is pending before the Family Court at Kolhapur.

4. There is no reason as to why precedence should be given to the Application taken out by the Petitioner over the other litigants, who are waiting in queue for their matters to be heard by the Family Court Kolhapur. Learned counsel for the Petitioner would submit that the Petitioner is suffering because he is businessman. This is no reason for seeking an out of turn adjudication of his Application. Upon query by this Court whether the petition can be withdrawn, learned counsel for Petitioner expressed his inability to withdraw the Petition.

5. Petition is totally frivolous and is dismissed with cost of Rs.10,000/- to be paid to the Kirtikar Law Library within a period of 2 weeks from today.

6. Petition to be listed on **18th September 2024** under the caption "For Compliance".

[Sharmila U. Deshmukh, J.]