

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.4000 OF 2024

Krishna Manglani alias Shweta Lalwani

... Petitioner

V/s.

Sagar Ishwar Manglani & Ors.

... Respondents

Ms. Sarah Kapadia a/w Ms. Ankita Pachouri i/by Vesta Legal for the Petitioner.

Mr. A. R. Kapadia for Respondent No.1.

Mr. A. R. Metkari, APP for the Respondent-State.

CORAM : ARIF S. DOCTOR, J.

DATE : 03RD DECEMBER 2024

P.C. :

1. When the matter was called out, Learned Counsel appearing on behalf of the Petitioner (Wife) submitted that the Petition takes an exception to an order dated 11th July 2024 passed by the Sessions Court in Criminal Appeal No.498 of 2022.

2. The Petitioner (Wife) had filed an application for interim maintenance under the provisions of Section 29 of the Protection of Women from Domestic Violence Act, 2005 against the First Respondent (Husband). The

Magistrate Court had allowed the maintenance in the sum of Rs.1,20,000/-, which was then reduced to Rs.50,000/- by the Sessions Court. It is informed that the Petitioner is suffering from Posterior Fossa Hemorrhage secondary to Arteriovenous (AV) malformation and is bedridden since the year 2017.

3. At this stage, Learned Counsel appearing on behalf of the Respondent (Husband) submits that the matter be referred to mediation to enable parties to come to a composite resolution in respect of the disputes and differences between the parties.

4. Learned Counsel appearing on behalf of the Petitioner (Wife) did not have any objection, but only submitted that the mediation be time bound given the medical condition of the Petitioner. She submit that the Respondents were already in arrears of payment of the maintenance amount, which is causing grave prejudice to the Petitioner.

5. Thus having regard to this submission, I deem it fit to appoint Smt. Justice Anuja Prabhudessai, Former Judge of this Court to act as Mediator between the disputes and differences. The details of Smt. Justice Anuja Prabhudessai, Former Judge are as follows :-

Name : Smt. Justice Anuja Prabhudessai,
Former Judge of this Court

Address : 106, Arccadia Building, NCPA Marg,
Nariman Point, Mumbai 400 021.

Mobile No. : 9823855445

Email Id : justiceanujaprabhudessai@gmail.com

6. On a copy of this order being uploaded, both the Advocates for the parties shall jointly approach learned Mediator and fix a schedule for mediation and supply her with all necessary documents that are required. The costs, charges and expenses of mediation including mediator's fees shall be shared equally by the parties.

7. The Learned Mediator is requested to submit a mediation report as expeditiously as possible given the exigency of this case.

8. A grievance was also raised at this stage that the Respondent (Husband) is not being permitted to meet the Petitioner (Wife).

9. Learned Counsel appearing on behalf of the Petitioner (Wife) submits that this is entirely incorrect and that there has never been any fetter imposed upon the Respondent (Husband) from meeting the Petitioner (Wife).

10. Learned Counsel appearing on behalf of the Respondent (Husband) submits that the Respondent is residing at Bhavnagar and shall meet the Petitioner (Wife) in the course of coming week.

11. Stand over to 7th January 2025.

(ARIF S. DOCTOR, J.)