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

**INTERIM APPLICATION NO. 2758 OF 2024  
IN  
WRIT PETITION ST NO. 2146 OF 2024**

Sushil Prafulla Mankar

.....Applicant

Vs.

State of Maharashtra and Anr

.....Respondents

Mr. Hemant Ingle a/w Mr. Pratik Ingle i/b Mr. Vedang Deshpande for  
the applicant

Mr. A. R. Metkari APP for the State

Mr. Waqar Pathan i/b Mr. Wesley Menezes for respondents

**CORAM : GAURI GODSE, J.**

**DATE : 18<sup>th</sup> JULY 2024**

**ORDER:**

1. This application is filed in a disposed of writ petition seeking extension of time to pay the remaining arrears of Rs. 19,00,000/- as directed by order dated 7<sup>th</sup> May 2024. Learned counsel for the applicant submits that as per order dated 7<sup>th</sup> May 2024, last date for completing the arrears which was 16<sup>th</sup> July 2024. However, he was unable to complete the entire arrears which was to the tune of Rs. 48,00,000/-. He submits that amount of Rs. 29,00,000/- is already

paid, however, as on date, the arrears is of Rs. 19,00,000/-. Learned counsel submits that extension of six weeks be granted to pay the remaining arrears of Rs. 19,00,000/-. Learned counsel for the applicant further submits that monthly maintenance of Rs. 50,000/- is regularly paid to respondent no. 2.

2. Learned counsel for respondent no. 2 opposes the extension of time on the ground that, even monthly maintenance has been paid by the petitioner only after orders are passed by this Court. He, however, does not dispute that the amount of Rs. 29,00,000/- is already paid and monthly maintenance of Rs. 50,000/- is also regularly paid.

3. Hence, considering the aforesaid, I am inclined to grant six weeks time to clear the remaining arrears. Hence, interim application is allowed by passing following order:

### **ORDER**

(i) Applicant shall file an undertaking in this Court within two weeks from today stating that the balance arrears of Rs. 19,00,000/- shall be paid within six weeks

from today.

(ii) Subject to applicant filing such an undertaking, time to clear the arrears of Rs. 19,00,000/- is extended by six weeks from today.

(iii) It is clarified that if undertaking is not filed or there is breach of the undertaking, present application shall stand dismissed without further reference to the Court.

(iv) Subject to applicant filing the aforesaid undertaking, the distress warrant issued for recovering the arrears of maintenance shall not be implemented. It is further clarified that if the aforesaid undertaking is complied with and the entire arrears of Rs. 19,00,000/- are cleared within the time granted, the distress warrant for recovering the arrears shall stand cancelled.

4. Interim application is allowed in the aforesaid terms.

**[GAURI GODSE, J.]**