



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 17 OF 2024

Prachi W/o. Nikunj Harlalka (Maiden Name - Prachi D/o. Rajesh Paldiwal)

..VS..

Nikunj S/o. Ramakant Harlalka

WITH

CRIMINAL WRIT PETITION NO. 18 OF 2024

Prachi W/o. Nikunj Harlalka (Maiden Name - Prachi D/o. Rajesh Paldiwal)

..VS..

Nikunj S/o. Ramakant Harlalka

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.V. Sirpurkar, Advocate for petitioner in both writ petitions.

CORAM : VINAY JOSHI AND MRS. VRUSHALI V. JOSHI, JJ.

DATED : 01st FEBRUARY, 2024

1. Heard.

2. Principally these petitions are simply for seeking directions to the Magistrate to decide interim applications pertaining to maintenance in Misc. Criminal Case No.201/2020 filed under Section 125 of the Code of Criminal Procedure and PWDVA Case No.20/2020 seeking relief under the provisions of Protection of Women from Domestic Violence Act, 2005.

3. It is petitioner's (wife) contention that the trial Court has not decided interim applications during the long span of three to four years and therefore, directions are sought.

4. We have called the status report from the learned Magistrate to understand his constraints for not deciding the interim applications. We have gone through the report and found that there are various litigations pending between the parties. Several applications have been filed by rival for production of documents. Moreover, outstation Counsels have been engaged. Certainly, we do not see any lapses on the part of Magistrate, but having regard to the object of the summary provision for grant of maintenance and the enabling provisions made under the Domestic Violence Act, the interim applications pertaining to maintenance have to be decided at the earliest.

5. The petitioner's learned Counsel made a statement that presently he would not press any other applications so that the matter may not be adjourned for those reasons. Since we are concerned for expeditious disposal of interim applications, we do not feel it necessary to hear other side as one cannot say that Court should not decide the applications at the earliest.

6. In view of above, the learned Magistrate is requested to decide both the interim applications within a period of two months from the date of receipt of this order.

7. The learned Magistrate shall take into account the above statement made by the learned Counsel for the petitioner.

8. The Writ Petitions stand **disposed of** in the above terms.

Inform the concerned Magistrate accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

Kirtak