



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 334 OF 2024

Mayank Chandrashekhar Yadav

Vs.

Supriya Mayank Yadav

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M. V. Rai, Advocate for petitioner.

CORAM :- M. W. CHANDWANI, J.

DATED :- 16.04.2024

Heard.

2. The order dated 05.02.2024 passed by the learned Judicial Magistrate First Class, Hingna, District Nagpur, below Exh.73, in Misc. Criminal Application No. 42/2017 is under challenge in this petition.

3. The learned Trial Court, by the impugned order, allowed the application of the respondent for issuance of non-bailable warrant against the petitioner for recovery of Rs.1,39,000/- towards arrears of maintenance and Rs.5,40,000/- towards arrears of ½ amount of monthly installment of home loan. The contention is that the applicant paid 50% of his share towards the entire loan amount. The applicant has paid Rs. 14,51,784/- out of Rs. 24,16,000/-. Despite this, the impugned order came to be passed against the petitioner.

4. Issue notice to the respondent, returnable in two weeks.

5. The effect and operation of the impugned order is stayed till the next date of hearing, subject to clearance of the maintenance amount and deposit of Rs.1,50,000/- in loan account within a period of two weeks from today.

6. The applicant shall continue to pay the maintenance amount per month to the daughter.

7. The learned counsel for the petitioner shall make a statement, for payment of remaining amount to loan amount, on the next date of hearing.

(M. W. CHANDWANI, J.)