



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

CRIMINAL WRIT PETITION NO. 446 OF 2024

Mayank s/o Chandrashekhar Yadav

Age : 40 years, Occu : Advocate,
R/o 201, Mangalmurti Apartment,
Sumangal Vihar, Near
Latamangeskar Hospital, Hingna,
Nagpur

... PETITIONER

// VERSUS //

Supriya W/o Mayank Yadav,

Aged : 37 years, Occu : Private,
R/o. Flat No. 404, Wingh -F,
Phase-I, Pioneer Woods,
Wanadongari, Opposite to
Y.C.C.E. College, Hingna, Nagpur
Office : HDFC Bank Branch, Agri.
Loan Department, 204,
Shankarnagar Square, Dharampeth
Extension, Shivaji Nagar, Nagpur –
440 010

...RESPONDENT

Mr Mahesh Rai, Advocate for the petitioner.
Mr. S.R. Ghate, Advocate for the respondent.

WITH
CRIMINAL WRIT PETITION NO. 334 OF 2024

Mayank s/o Chandrashekhar Yadav

Age : 40 years, Occu : Advocate,
R/o 201, Mangalmurti Apartment,
Sumangal Vihar, Near
Latamangeskar Hospital, Hingna,
Nagpur

... PETITIONER

//VERSUS//

Supriya W/o Mayank Yadav,
Aged : 37 years, Occu : Private,
R/o. Flat No. 404, Wingh -F,
Phase-I, Pioneer Woods,
Wanadongari, Opposite to
Y.C.C.E. College, Hingna, Nagpur
Office : HDFC Bank Branch, Agri.
Loan Department, 204,
Shankarnagar Square, Dharampeth
Extension, Shivaji Nagar, Nagpur –
440 010

...RESPONDENT

Mr Mahesh Rai, Advocate for the petitioner in both petitions.
Mr. S.R. Ghate, Advocate for the respondent in both petitions.

CORAM : G. A. SANAP, J.

DATE : 12.11.2024

ORAL JUDGMENT :

1. Heard learned Advocates for the parties.
2. Both these petitions can be disposed of by common order. In writ petition No.334 of 2024 the order dated 05.02.2024 with regard to the issuance of non-bailable warrant against the petitioner has been challenged. In writ petition No.446/2024, the order directing the petitioner to pay the home loan installments as well as the interim maintenance has been challenged.

3. As far as the interim maintenance order is concerned, learned Advocate for the petitioner submits that till the disposal of the main matter, the petitioner is ready to pay the interim maintenance @ Rs.6,000/-. He submits that the petitioner is ready to clear the arrears, if any, of the interim maintenance.

4. As far as the amount of the home loan installment is concerned, it is submitted that out of the home loan of Rs.5,40,000/- (Rs. Five Lakhs and Forty Thousand Only) the petitioner has paid of Rs.1,50,000/- (Rupees One Lakhs and Fifty Thousand Only). It is submitted that the balance amount is Rs.3,90,000/-. Learned Advocate for the petitioner submits that the petitioner is ready to pay the amount of Rs.3,90,000/- towards the monthly installment of the home loan within three months.

5. In my view, some time will have to be granted to the petitioner. The petitioner shall deposit the amount of Rs.3,90,000/- (Rupees Three Lakhs Ninety Thousand Only) within two months. It is made clear that as far as the issues involved in the main matter are concerned, the learned Judge shall decide the same on merits. The petitioner shall deposit the amount of Rs.3,90,000/- before the trial Court. The learned Judge considering the period of pendency of the matter, he shall explore the possibility of disposing of this matter expeditiously.

6. The order issuing non-bailable warrant against the petitioner is set aside.

7. Criminal Writ Petitions stand **disposed of** in the aforesaid terms. Pending applications, if any, stand disposed of.

(G. A. SANAP, J.)