



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

CRIMINAL WRIT PETITION NO.734 OF 2024

Dr. Tushar Ashok Kasbe

(Vs.)

Dr. Sonali Tushar Kasbe

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

Court's or Judge's orders.

Mr. Chaitanya R. Kulkarni, Advocate for petitioner.

CORAM : G.A. SANAP, J.

DATE : 12.09.2024

1. Heard learned Advocate for the petitioner.
2. On going through the record, I do not see any substance in this petition.
3. It is pointed out that the order directing the petitioner to pay the interim maintenance @ of Rs.10,000/- (Rupees Ten Thousand Only) per month has been challenged by way of appeal. It is also pointed out that the petitioner has moved the application to stay the impugned order of awarding interim maintenance. Learned Advocate for the petitioner submits that since the learned Additional Sessions Judge is on maternity leave, his matter is not taken up. At first blush, this submission appears

to be untenable. In case Judicial Officer is on leave, the charge of the said Judicial Officer is kept with another Judicial Officer. In case of urgent matter, the petitioner can move the Court and then the matter can be sent to the in-charge Court for passing an appropriate order.

4. In this petition, the petitioner is challenging the issuance of the order of attachment of the salary. In my view, it can be taken care of in the appeal filed by the petitioner.

5. In view of this, I do not see any substance in this petition. Writ Petition is **dismissed**.

6. Liberty is granted to the petitioner to move an urgent hearing of the stay application before the Additional Sessions Judge where the appeal is pending. As and when such an application is made, it shall be heard on a priority basis and decided.

7. Writ Petition stands disposed of.

JUDGE