



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 WRIT PETITION NO. 470 OF 2025

VILAS DATTATRAYA ANAP
VERSUS
AISHWARYA VILAS ANAP

...
Advocate for the Petitioner : Mr. Dixit Satyajeet S.
Advocate for Respondent : Mr. Amit Yadkikar
...

CORAM : ARUN R. PEDNEKER, J.
Dated : September 25, 2025

PER COURT :-

1. Heard the learned counsel for the parties.
2. By way of present writ petition, the petitioner/husband is challenging the impugned order dated 23.10.2024 passed below an interim maintenance application, Exh. 14 in HMP No. 423/2022 filed for restitution of conjugal rights by 2nd Jt. Civil Judge, Senior Division, Sangamner, allowing the said application and directing the petitioner/husband to pay monthly maintenance of Rs.10,000/- to the respondent/wife.
3. The learned counsel for the respondent submits that respondent has filed proceedings before the trial court for divorce bearing HMP No. 476/2022 and another proceeding for maintenance under Domestic Violence Act. The learned counsel for the respondent/wife submits that respondent/wife is of 21 years of age and the petitioner/husband is of 35 years of age. The learned counsel for the respondent submits that by filing the present writ petition, the petitioner is playing delaying tactics in prolonging the matters filed by the wife before the lower court. The learned counsel for respondent therefore prays that in view of the above,

maintenance may be awarded at any rate but direction be given to the trial court to decide the divorce proceeding filed by the respondent within six months.

4. Considering the submissions made by the learned counsel for the respondent, the maintenance of Rs. 10,000/- awarded by the impugned order dated 23.10.2024 is reduced to Rs.5,000/- p.m.

5. Both the parties prays to direct the trial court to decide divorce proceeding filed by the wife as well as restitution of conjugal rights proceeding filed by the husband together. In view of the above, the learned Civil Judge, Senior Division, Sangamner is directed to decide the divorce proceeding filed by the wife bearing HMP No. 476/2022 and restitution of conjugal right proceeding filed by the husband bearing HMP No. 423/20222 within a period of 9 months from the date of receipt of this order.

6. The petitioner to cooperate before the trial court in deciding the divorce proceeding. In the event, the petitioner does not cooperate in divorce proceeding, liberty is given to the respondent to seek maintenance at the rate granted by the impugned order.

7. With the above, directions the writ petition is disposed of.

(ARUN R. PEDNEKER, J.)

ssc/