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27-WP-145-2020

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

27 CRIMINAL WRIT PETITION NO. 145 OF 2020

Nivrutti S/o. Namdeo Mhaske
VERSUS
Prayagbai W/o. Nivrutti Mhaske

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Mr. Ganesh Solanke h/f Mr. Shikrashna B. Solanke, Advocate for the
Petitioner.

Smt. Poonam Bodke Patil, Advocate appointed for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 14th AUGUST 2025.

PC :-

1. This Court by order dated 20th December 2021 had directed the petitioner to clear the arrears of maintenance as a condition for grant of stay. It was directed that the petitioner to pay Rs. 3,000/- per month from the date of filing of the application for maintenance and to clear the arrears within four weeks. Thereafter from time to time, the matter appeared on board. Extension was also granted to deposit the amount. On 26th June 2025, this Court had directed the petitioner to deposit the amount of arrears within four weeks to show bonafides. The said period

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was again extended by order dated 24th July 2025 by further one week, by way of last chance.

2. However, even now, no such amount is deposited. The learned Advocate for the petitioner only submits that the petitioner is a poor labourer and he is not in a position to deposit the amount of arrears.

3. The learned Advocate for Respondent vehemently submits that already much more time is given to the petitioner to show *bona-fides*. Till now, he has not obeyed even the order passed on 20th December 2021. Even thereafter, he has consistently failed to obey even further orders. This conduct of the petitioner clearly shows that he is not obeying the orders of the Court. Petition is, not *bona-fides*. She prays for dismissal of the writ petition.

4. This Court has seen the earlier orders. From the record it is clearly seen that the petitioner is not obeying the orders of this Court inspite of specific directions. This Court, therefore, finds that no purpose would be served by keeping the petition pending. Even on merits, this Court does not find any substance in the writ petition. The petition is filed only

against the order of interim maintenance. For this reason also, this Court finds that petition deserves to be dismissed. Writ petition, therefore, stands dismissed.

5. Learned Advocate Smt. Poonam Bodke Patil is appointed though legal aid. She shall be entitled to receive fees of Rs. 5,000/- to be paid by to be paid by High Court Legal Aid Services, Sub-Committee Aurangabad.

6. With this, writ petition stands disposed off.

[KISHORE C. SANT, J.]