



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

28 CRIMINAL WRIT PETITION NO. 340 OF 2025

VISHNU BHAURAO BELE

....Petitioner

VERSUS

SHANTABAI VISHNU BELE

.....Respondents

Mr. Sandip Rathod, Advocate for the respondent

CORAM : ABHAY J. MANTRI, J.

DATE : 24th NOVEMBER, 2025

PER COURT :

1. None appeared for the petitioner. The learned advocate for the respondent appeared and submitted that mediation has failed.
2. Perused the impugned order and record.
3. By this petition, the petitioner is challenging the order dated 28-03-2023, passed by the learned Sessions Judge, Parbhani in Criminal Revision Application No. 51/2019 whereby dismissed the revision application filed by the petitioner and confirmed the order dated 11-02-2019, passed by the learned Judicial Magistrate First Class, Parbhani (for short '*the learned Magistrate*') whereby directed the petitioner to pay the maintenance amount of Rs. 2000/- per month to the respondent.

4. It also appears that by this petition, the petitioner is also challenging the order dated 12-08-2024 passed by the learned Judge, Family Court, Parbhani, below Exh. 41 in Cri. PER No.233/2020, whereby the learned Judge has directed the DDO/employer of the petitioner to deduct the arrears of maintenance amount of Rs. 9000/- per month till the recovery of Rs. 1,05,000/- and report to the court.

5. It appears that the petitioner is challenging the order passed by the learned Magistrate, learned Additional Sessions Judge, as well as the Judge of the Family Court in one petition, which is not permissible.

6. It appears that by passing the order, the learned Magistrate directed the petitioner to pay Rs. 2000/- per month to a respondent, who is in service with the MSRTC and earns Rs. 9000/- per month. The petitioner is also employed by the Police Department and earns Rs. 21000/- per month. Therefore, I do not find substance in the grounds raised by the petitioner in the revision memo.

7. As the petitioner has not paid the arrears of maintenance, the execution proceeding was filed. It appears from Exh. 42 in the execution proceeding that the learned Judge has directed to deduct the amount of arrears of maintenance of Rs. 9000/- per month from/petitioner's account. Thus, it appears that the petitioner failed to pay the maintenance. Therefore, the order was

passed. However, the petitioner failed to demonstrate that the said order is illegal or perverse. Consequently, I do not find substance in the petition.

8. As a result, the criminal writ petition being devoid of merits, stands dismissed with cost of Rs. 5000/- to be deposited before the learned JMFC, Parbhani within eight weeks.

9. Inform the learned Magistrate, the learned Additional Sessions Judge, as well as the Judge of the Family Court.

[ABHAY J. MANTRI, J.]