



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**919 CRIMINAL REVISION APPLICATION NO. 67 OF 2020
WITH CRIMINAL REVISION APPLICATION NO. 68 OF 2020
WITH CRIMINAL APPLICATION NO. 872 OF 2020 IN REVN/68/2020**

**SAYYAD LUBNA W/O. JAVED AND OTHERS
VERSUS
SAYYAD JAVED S/O. SAYYAD KHAYUM**

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Advocate for Applicant : Mr. R.C. Bora h/f. Jadhav Hanumant P.

Advocate for Respondents : Mr. Bolkar Yogesh B.

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CORAM : Y.G. KHOBRAGADE, J.

DATE : 12.12.2025

PC.:-

1. On instructions, the learned counsel appearing for the revision applicant seeks leave to withdraw the revision application. Accordingly, the revision application no.68/2020 is dismissed as withdrawn. Accordingly, criminal application no. 872/2020 is also disposed of.

2. In so far as Cri. Rev. Appln. No. 67 of 2020 is concerned, both the learned counsels appearing for the respective parties jointly submits that, after the judgment and order dated 07.02.2020 passed by the learned Family Court, Latur in Petition E-25/2018, the non-applicant/husband filed proceeding bearing no.A-80/2018 and prayed for decree of restitution of conjugal rights before the Family Court, Aurangabad.

3. On 23.08.2018, the Family Court, Aurangabad passed ex-parte judgment and decree of restitution of conjugal rights. Being aggrieved by said judgment and decree, the applicant/wife filed Family Court Appeal No.70/2022 before this Court. On 12.03.2025, the Division Bench of this Court passed an order and quashed and set aside the judgment and order dated 23.08.2018 passed by the Family Court, Aurangabad and remanded the matter for fresh hearing.

3. As on today, the Petition A-80/2018 for restitution of conjugal rights is pending before the Family Court, Aurangabad and prayer of the present applicant/wife for maintenance can also be considered by the Family Court, if the applicant files a fresh application for maintenance.

4. In view of above, impugned order dated 07.02.2020 passed by the Family Court, Latur in Petition E-25/2018 to the extent of denial of maintenance to the applicant no.1/wife is hereby quashed and set aside. The applicant wife is hereby permitted to file a fresh application for maintenance in Petition E-25/2018 or independent proceeding for maintenance before the Family Court, Latur, which can be decided on its own merits expeditious.

5. Accordingly, criminal revision application no.67/20220 is hereby disposed of. No order as to costs.

[Y.G. KHOBRADE, J.]