



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 609 OF 2025

Samadhan Ananda Lokhande,
age: 38 years, Occ. Service,
R/o. At post Ambade,
Tq. Bhadgaon, Dist. Jalgaon.

...Petitioner

Versus

1. Priyanka W/o. Samadhan Lokhande,
age: 32 years, Occ. Household,
2. Pratham S/o. Samadhan Lokhande,
age: 11 years, Minor U/gr. of Resp. No. 1
Both R/o. S.R.P. Quarters,
Mantha Naka, Jalna.

And/Or

R/o. C/o. Yuvraj Bhikari Wagh,
In front of Police Chouki,
Dr. Hedgewar Nagar, Erandol Road,
Dharangaon, Tq. Dharangaon,
Dist. Jalgaon.

...Respondents

...

Advocate for Petitioner : Mr. D.R. Markad h/f. Mr. Dhananjay A. Naik

Advocate for Respondent No. 1 : Mr. Sohail Subhedar h/f. Mr. D.S.Ingole

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CORAM : ABHAY J. MANTRI, J.
DATE : 04th DECEMBER, 2025

ORAL JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith. Heard finally by consent of the learned counsel for both parties at the admission stage.

2. The petitioner/husband is assailing the orders dated 08.04.2024 and 12.12.2024, passed by learned Judge of the Family Court, Jalna, below exhibit 48 and 53 & 1, respectively in petition E.R. No. 101/2021, whereby, the learned Judge of the Family Court, had directed the Superintendent of Police, Jalgaon, to deduct Rs. 25,000/- per month from the salary of the petitioner and transmit the same to the Family Court, Jalna, until the recovery of an amount of Rs. 10 Lakhs, by this Writ Petition.

3. On 02.12.2025, mater was heard. During the hearing, the learned Advocate for the petitioner submitted that he is ready to file an affidavit cum undertaking to consent to the deduction of an amount of Rs. 20,000/- per month from his salary and, therefore, sought time. Pursuant to the said statement, the learned Advocate for the petitioner has today filed an affidavit cum undertaking across the bar. The same is taken on record.

4. Perused the same. It appears that the petitioner has categorically given an undertaking that he has consented to the deduction of an amount of Rs. 20,000/- per month from his salary pursuant to the order below, exhibits 48 and 53, in the proceeding bearing E.R. No. 101/2021.

5. In response, the learned Advocate for the respondents has

submitted that the respondents have no objection to modifying the orders passed below, exhibits 48 and 53, in view of the undertaking. But he has submitted that if the petitioner breaches this undertaking, he will be liable to contempt proceedings.

6. The affidavit cum undertaking submitted by the petitioner is accepted and considered as an undertaking to this Court; failing to comply with the said undertaking, he will be liable to contempt proceedings/he will face contempt proceedings against him. The order of the learned family court, along with the undertaking given by the petitioner and his consent to deduct Rs. 20,000/- per month from his salary, is also binding on the Superintendent of Police, Jalgaon.

7. Having considered the above facts and considering the submissions of the learned Advocates for both parties, without going into the merits of the matter, I deem it appropriate to modify the order below exhibit 48 to 53 passed by the learned Family Court on 08.04.2024 and 12.12.2024, to the extent of deduction of the salary of Rs.20,000/- per month from the salary of the petitioner instead of Rs. 25,000/-.

8. As a result, in the interest of justice, the Criminal Writ Petition is disposed of by modifying the impugned orders that the Superintendent of Police, Jalgaon, is directed to deduct Rs. 20,000/-

(Rupees twenty thousand) from the salary of the petitioner, Samadhan S/o. Ananda Lokhande, and transmit the same to the Judge, Family Court, Jalna, until the recovery of an amount of Rs. 10 Lakhs.

9. Needless to clarify that if the salary of the petitioner is increased then Superintendent of Police, Jalgaon, is directed to deduct an additional 50% of the amount of increased salary in addition to an amount of Rs. 20,000/- per month and transmit the same to the Family Court, Jalna, until the recovery of the arrears of the maintenance of the amount. In view of the above, the Criminal Writ Petition is disposed of in the above terms. The rule is made absolute accordingly. No costs.

(ABHAY J. MANTRI, J.)

SPC