

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1038 WRIT PETITION NO. 9931 OF 2023

SEEMA SANDIP SHINDE
VERSUS
SANDIP GOVINDAPPA SHINDE

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Advocate for the Petitioner : Mr. Pravin N. Kalani
Advocate for Respondent : Mr. Bharad Pratibha Jagdish and Ms.Jadhav
Usha N.

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 10.12.2025

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. By way of this petition, the petitioner assails the order dated 17.06.2023 passed below Exhibit 33 by learned Civil Judge, Senior Division, Hingoli in H.M.P. No. 151 of 2019, whereby, application filed by the petitioner for taking action against the respondent due to non compliance of maintenance order came to be rejected.
3. The learned Counsel for petitioner Mr. Kalani submits that there are arrears of maintenance of more than Rs. 1,20,000/- due upon the respondent and he has failed to comply with the order of payment of maintenance, but the learned trial Court failed to consider this aspect and rejected the application filed by the petitioner.
4. I have gone through the order passed by the learned trial court, wherein, it has recorded a finding that receipts placed on record showed that respondent has duly complied with the order.

5. Therefore, I am not inclined to interfere with the order dated 17.06.2023 passed below Exhibit 33 by learned Civil Judge, Senior Division, Hingoli in H.M.P. No. 151 of 2019 under Article 227 of the Constitution of India.

6. In view thereof, the petition is dismissed. No order as to cost.

7. It is made clear that if respondent commits subsequent default in paying maintenance, the petitioner shall be at liberty to file fresh application for enforcement of order of maintenance, which shall be considered by the learned trial Court on its own merits.

(SIDDHESHWAR S. THOMBRE, J.)

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