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14-WP-1431-2021

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

14 CRIMINAL WRIT PETITION NO. 1431 OF 2021

Irfan Shah Imam Shah

VERSUS

Rahila Anjum W/o. Irfan Shah And Another

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None for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATE : 21st AUGUST 2025.

PC :-

1. This Court, by order dated 24th July 2025, had recorded that the petition is not being prosecuted, as none is appearing for the petitioner. It was made clear that even if none appears today, this Court will proceed to decide the matter on merits.

2. Petition is filed by the husband of Respondent No.1 and father of respondent No.2, praying for quashing and setting aside the judgment order dated 20th March 2021, passed by the learned JMFC, Aurangabad

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in PWDVA No.587/2019, and the judgment whereby the Additional Sessions Judge, Aurangabad, confirmed the said judgment by order dated 1st October 2021 passed in PWDVA No. 25 of 2021.

3. The wife had filed proceeding under the Domestic Violence Act. The said was tried on the basis of evidence. The learned JMFC partly allowed the application, directing the husband to pay Rs.10,000/- per month to the respondent-wife from the date of application till decision of the main application. The said order is confirmed by the learned Additional Sessions Judge, Aurangabad. While passing the orders, both the courts have taken into consideration the income of the husband. It is held that after deducting the statutory deductions and the amounts toward installments of vehicle loan, housing loan etc. and passed the order. Since the order is for interim maintenance pending the main proceeding, and even otherwise this Court does not find any case on merits, the same is therefore dismissed. Hence, following order:

ORDER

Writ Petition stands dismissed and disposed off.

[KISHORE C. SANT, J.]