



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1833 OF 2019

SHIVAJI S/O. DNYANOBA KHAWANE

VERSUS

GEETA W/O. SHIVAJI KHAWANE

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Shri Tripathi Manish P., Advocate for the Petitioner.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 19 November 2025

P. C. :-

1. Heard.
2. The petitioner challenges the order dated 16.07.2019 passed by learned Additional Sessions Judge, Parbhani, in Criminal Revision No.151/2017 thereby, confirming the order dated 26.10.2017 passed by learned JMFC, Parbhani, in Criminal M.A. No.612/2014. By this order dated 26.10.2017, learned JMFC was pleased to partly allow the said application and awarded monthly maintenance of Rs.4000/-.
3. When the instant petition was listed on 12.11.2025, this Court granted two weeks time to the learned advocate for the

petitioner to work out this petition.

4. The record reveals that this petition was filed in the year 2019 and it was never circulated and listed for all these years. The proceedings before learned JMFC under Section 125 of the Code of Criminal Procedure were filed in the year 2014 and the same were partly allowed on 26.10.2017 and the instant petition is filed in the year 2019. There is no stay granted by this Court and as stated earlier, the petition was never circulated and listed for hearing. During all these years, the parties are involved in litigation against each other. The petitioner is not at all vigilant and alert in the proceedings. As such, this Court cannot come to his aid, who is sleeping over his rights. In that view of the matter, I am not inclined to entertain this petition.

5. As far as merits of the matter are concerned, it has come on record that marriage took place in 1999 and differences started in 2011. During interregnum, the parties blessed with two children. However, the dispute between them started over agricultural land of the petitioner's father-in-law. After analyzing evidence on record, learned Sessions Judge has rightly observed that the petitioner has neglected to maintain the wife. The

petitioner has sufficient means to maintain the wife. Considering social position of both the parties, learned JMFC has rightly awarded maintenance of Rs.4000/- per month. Therefore, considering facts and circumstances of the case, I am of the view that both the Courts below have rightly passed the impugned orders and no interference is called for in the same.

6. In view of the above, this Criminal Writ Petition is dismissed. However, in the event, the petitioner is aggrieved by any further order passed by the Courts below, he is at liberty to take recourse to appropriate proceedings.

kps

(SUSHIL M. GHODESWAR, J.)