

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.1638 OF 2022

Faisal Ali Mukadam

...Petitioner

Versus

Nilofer Faisal Mukadam & Anr.

...Respondents

None for the Petitioner.

Mr Mohan Devkule, i/b Rakesh Bhatkar, for the Respondents
No.1 to 3.

Mr Aashish Satpute, APP for the Respondent-State.

CORAM Dr. Neela Gokhale, J.
DATED: 5th May 2025

PC:-

1 The Petitioner assails an interim order dated 22nd May 2019 passed by the learned Judicial Magistrate First Class, Court No.5, Ratnagiri directing the Petitioner-Husband to pay an amount of Rs.5,000/- per month towards interim alimony to the Respondent-wife and to the Respondents No.2 and 3, their minor children. The Petitioner was also directed to pay an amount of Rs.4,000/- per month to the

Respondent- Wife towards the rent of the residential premises. He was also directed to pay an amount of Rs.15,000/- as compensation for the domestic violence caused by him and further, he was restrained from causing any further domestic violence to the Respondent-Wife and their minor children.

2. The present petition is filed on 28th February 2022. On 16th November 2022, none appeared for the Petitioner. The Petition was directed to come up for hearing in regular course.

3. Even today, none appears for the Petitioner.

4. Mr. Mohan Devkule, learned counsel appearing for the Respondent-Wife states that the impugned order has not been complied with till date and the Petitioner-husband has failed to pay any interim maintenance to the wife and their children.

5. It appears that the Petitioner is not interested in prosecuting the present petition. It is apparent from the

prayer clause (b) that recovery proceeding filed by the Respondent-Wife is also pending before the learned Magistrate, clearly indicating that he is in arrears of payment of interim maintenance, in terms of the impugned order.

6. Mr. Satpute, learned APP, also points out that the Petition itself is filed after a period of four years from the passing of the impugned order.

7. In view of the aforesaid, the Petition is dismissed for want of prosecution.

(Dr. Neela Gokhale, J)

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