

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2244 OF 2025

Mahalappa Namdev Kitture ...Petitioner
Versus
Madhuri Mhalappa Kitture And Ors. ...Respondents
.....
Mr. Suryajeet P. Chavan for the petitioner
Ms. P.S. Rane APP for the State

.....
CORAM : SHIVKUMAR DIGE, J.
DATE : 22nd SEPTEMBER 2025

P.C.

1. Heard learned counsel for Petitioner and learned APP for the Respondent-State.
2. It is contention of learned counsel for the Petitioner that the Petitioner is hawker and he has no source of income. In spite of that, the learned trial Court has awarded Rs.5,000/- as interim maintenance to Respondent Nos.2 & 3 which is erroneous.
3. Learned APP submits that appropriate order be passed.
4. I am deciding this Writ Petition without issuing notice to the Respondents. It appears that Respondent Nos.2 and 3 are daughters of Petitioner and the trial Court has granted Rs.5,000/- as interim

maintenance which is reasonable. Whether Petitioner has sufficient source of income or not is matter of evidence.

5. The Petitioner is permitted to put his evidence before the trial Court about his income while hearing the main maintenance application and I pass the following order :

ORDER

- (i) Writ Petition is dismissed and disposed off;
- (ii) The contentions of both the parties are kept open.
- (iii) Both the parties are at liberty to put their side before the trial Court.
- (iv) The learned trial Court is requested to dispose of the main maintenance application as early as possible.

(SHIVKUMAR DIGE, J.)