

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8780 OF 2025

Deepali Mahesh Satpute

...Petitioner

Versus

Mahesh Mahadev Satpute & Anr.

...Respondents

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Mr. Anuj Girish Pande, for the Petitioner.

CORAM: MADHAV J. JAMDAR, J.
DATED: 08 AUGUST 2025

P.C.:

1. Heard Mr. Anuj Pande, learned Counsel appearing for the Petitioner.
2. In the present Writ Petition the Petitioner has sought following prayer :-

“a) This Hon’ble Court be pleased to issue a writ of mandamus or any other appropriate writ, order, or direction directing the Ld. Magistrate at Bandra to expeditiously hear and decide the Petitioner’s Interim Application along with the Complaint under Section 23 of the DV Act, preferably within 30 days or a fixed time period.”

3. In view of the relief sought in the Writ Petition, it is not necessary to issue notice to the Respondent No.1.
4. Mr. Pande, learned Counsel appearing for the Petitioner, states that in the DV Complaint bearing No. DV/1200215/2022 an Interim Application has been filed seeking maintenance and other reliefs, however, the same is not being disposed of for 3 years.

5. The Supreme Court in the case of *High Court Bar Association, Allahabad v. State of Uttar Pradesh*¹ has held that in the ordinary course Constitutional Courts should refrain from issuing such directions. However, this is a case where Interim Application filed in DV proceedings is not disposed of for last about 3 years.
6. Accordingly, the learned concerned Metropolitan Magistrate at Bandra is requested to dispose of Interim Application filed in DV Complaint bearing No. DV/1200215/2022 within a period of 6 months from today.
7. The Writ Petition is disposed of in above terms with no order as to costs.
8. It is clarified that, this Court has not considered the merits and all contentions on merits are expressly kept open.

[MADHAV J. JAMDAR, J.]

¹ (2024) 6 SCC 267