

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 16506 OF 2025

Ramesh Baba Kushalkar And Anr

..Petitioners

Versus

The State of Maharashtra Through Assistant
Government Pleader & Ors

...Respondents

Mr. Francis A Caszo, for the Petitioners.

CORAM: N. J. JAMADAR, J.

DATE : 8th DECEMBER 2025

ORAL ORDER:

1. Heard the learned Counsel for the Petitioners.
2. The challenge in this Petition is to an order dated 11th September 2025 passed by the Maintenance Tribunal.
3. The Petitioners have an efficacious remedy of filing an Appeal against the order passed by the Maintenance Tribunal as in view of the Division Bench judgment of this Court in **Jagdish Pitambar Pawar Vs Pitambar Pundalik Pawar & Ors**,¹ an appeal before the Appellate Authority at the instance of the children of the senior citizen is also tenable.

1 Writ Petition No. 36 of 2023, dated 29th November 2023.

4. Keeping open the liberty to file an Appeal to assail the impugned order, the Petition stands disposed.
5. In the event, the Petitioners file an Appeal within a period of two weeks, the Appellate Authority is requested to hear and decide the Appeal as expeditiously as possible and if it is not possible to decide the Appeal finally, the Appellate Authority shall decide the Application for interim relief expeditiously.
6. The time spent in prosecuting this petition may be accounted for under Section 14 of the Limitation Act, in the event the question of limitation arises.
7. Subject to the aforesaid directions, the Petition stands disposed.

[N. J. JAMADAR, J.]