

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 179 OF 2025

IN

WRIT PETITION NO. 4490 OF 2024

Komal Kushal Kamble and Anr.Petitioners
Versus
Kushal Kaluram Kamble and Anr.Respondents

Mr. Mohit Khanna i/b Mr. Pravin B. Patil, for the Petitioners.

Mr. Asadali Z. Mazgoanwala a/w Tanvi Shah i/b Asadali Z. Mazgoanwala, for the Respondent No.1.

Mr. J. P. Patil, AGP for Respondent – State.

CORAM: MANJUSHA DESHPANDE, J.

DATE : 17th JUNE, 2025.

P.C. :-

1 In continuation of order dated 13th June, 2025 passed by this Court, the learned Advocate for the respondent No.1 has come with a chart of calculation of arrears containing the dates on which the respondent proposes to make payment of the arrears in a phased manner. He has also come with a DD of Rs. 2 lakhs to be paid to the petitioner.

2 The learned Advocate submits that the respondent proposes to clear the dues by the end of June 2025.

3 Learned Advocate for the petitioner vehemently submits that though the respondent has means to clear the dues of pending arrears, he is avoiding to comply with the order of this Court. Therefore, the respondent should be dealt with, by framing of charge against him in contempt petition.

4 This Court has issued simple notice to the respondent by an order dated 2nd April, 2025. Since then, there is no compliance of the order passed by this Court. On the last date, learned Advocate for the respondent has caused appearance.

5 By an order dated 29th November, 2024, this Court has directed the respondent to pay an amount of maintenance of Rs.10,000/- per month, each to the wife and child and the arrears were directed to be cleared within a period of eight weeks from the date of uploading of the order. In spite of granting sufficient time, the respondent has not complied with the order. As per the oral submission made by the learned Advocate for the respondent, it is informed that the respondent does not have the resources to pay the arrears of maintenance as directed by this Court.

6 Considering that the petitioner, who is in dire need of the amount of arrears because of her medical condition, the Demand Draft of Rs. 2 lakhs drawn in the name of Janseva Sahakari Bank Limited, Pune, is handed over to the learned Advocate for the petitioner by way of temporary arrangement and the respondent is directed to file an affidavit as to why an action under the Contempt of Courts Act should not be initiated against him.

7 In case of failure on the part of respondent to satisfy this Court, this Court shall proceed to initiate the action of contempt against the respondent.

8 The above affidavit shall be filed within a period of eight days and copy thereof shall be made available to the Advocate for the petitioner in advance.

9 List the matter on **30th June, 2025 at 3:00 p.m.**

10 The respondent shall personally remain present on the next date of hearing.

[MANJUSHA DESHPANDE, J.]