

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

MISCELLANEOUS CIVIL APPLICATION NO. 295 OF 2025

Shehzad Arsiwala

..Applicant

Versus

**ANAND
SUDHAKAR
SUDAME**

Fatema Arsiwala Nee Fatema Jhanjharla

..Respondent

Ms. Sarah Kapadia a/w. Ms. Ankita Pachouri & Ms. Anoushka Thangkhiew i/b. Vesta Legal, Advocates, for the Applicant
Ms. Disha U. Shetty, Advocate, for the Respondent

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by ANAND
SUDHAKAR
SUDAME

Date: 2025.09.29
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CORAM : RAJESH S. PATIL, J.

DATE : 23.09.2025

P. C.

1. After the matter was argued yesterday and today, for quite some time, Ms. Kapadia, learned Counsel appearing for the Applicant, who is the husband of Respondent No. 1 seeks liberty to withdraw the present transfer Application.

2. The Applicant has taken, a considerable time of this Court yesterday and today. A suggestion was made yesterday and even today while the matter was argued whether the Applicant voluntarily wants to deposit the maintenance amount, without prejudice to the rights and contentions. However, the Applicant – husband refused to pay/deposit even 50% of amount from the date of filing of Interim Application of maintenance as per the Judgment of Hon'ble Supreme Court in the case of *Rajnish vs. Neha*, reported in *(2021)2 SCC 324*.

3. Considering the conduct of the Applicant, in my opinion, there

must be an Order against the Applicant and in favour of the Respondent. The MCA stands rejected with costs of Rs. 1,00,000/- to be paid to the Respondent within a period of four weeks from today.

4. If the costs is not paid within time, the Respondent is entitled to put this Order in execution against the Applicant for recovery of such costs.

(RAJESH S. PATIL, J.)