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Mr. Sumeet Upadhyay, Advocate for Petitioner.
Ms. Poonam P. Bhosele, APP for State.

P.C.:

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4. At the outset, it is required to be noted that the impugned Orders are challenged after a period of about 2 years when the distress warrant has been issued against the Petitioner for non-compliance of the Order granting maintenance. There is no explanation whatsoever for this delay. Thus the Writ Petition is required to be dismissed on this ground alone.

5. As as far as merits are concerned, both the Courts have in effect held that the Petitioner has not disclosed his true income. Admittedly the Petitioner was in the business of transportation and it is his case that the said business has shutdown in Covid. However, after Covid, now normalcy has been restored for last about 3 years. Nothing is mentioned about the present status of the business. In fact, it is the contention of the Petitioner that the Petitioner is working as Sales Executive in a courier company i.e. Speed King Communication, Kalbadevi, Mumbai.

6. In the facts and circumstances, no case is made out for interference in the impugned Order under the jurisdiction of this Court under Article 227 of the Constitution of India.

7. Accordingly, the Writ Petition is dismissed, however, with no order as to costs.

8. The Petitioner has also challenged the Order dated 26th June 2025 passed by the learned Metropolitan Magistrate directing that as arrears of maintenance are Rs.1,80,000/- issuing distress warrant, if the Petitioner fails to deposit the amount of Rs.25,000/- immediately.

9. The position on record shows that the Petitioner's daughter is single handedly maintained by the wife and the maintenance granted is only Rs.7,000/- per month to the wife and Rs.3,000/- to the daughter. The said maintenance is also not been paid.

10. Accordingly, no interference in the impugned Orders is warranted. The Writ Petition is dismissed, however, with no order as to costs.

(MADHAV J. JAMDAR, J.)