

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1091/2024

Shri Vijay Tejrao Ugale
 Vs.
 Kesarabai Tejrao Ugale and others

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Vikrant Raje, Advocate for petitioner thr. V.C.
 Shri P.K. Mohta, Advocate for respondent No.1
 Ms Deepa Charlewar, AGP for respondent Nos.2 and 3

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 07.05.2025

Heard learned Counsel for the petitioner through video conferencing. He is unable to attend the matter due to sun stroke. As such, he requested for adjournment the same beyond the Summer Vacation. List the matter on 09.06.2025.

2. Learned Counsel for respondents vehemently argued that the Civil Writ Petition is not maintainable in view of the fact that only order under challenge is granting of maintenance. As per Section 11(2) of the said Act under Maintenance and Welfare of Parents and Senior Citizens Act, 2007, maintenance order shall have the same force and effect as an Order passed under Chapter 9 of the Criminal Procedure Code and shall be executed in the manner prescribed for the execution of such order by the Court. If impugned order passed by the Collector, Washim,

dated 26.12.2023 is perused, there is direction to deposit the amount towards maintenance of Rs.10,000/-. The petitioner herein may require to suffer for awarded punishment as per Section 125 of the Act if directions are not complied. As such, it would be appropriate to call report of Registrar (Judicial) whether Criminal Writ Petition would lie in this matter.

3. Though, there is no direction by this Court, learned Counsel for petitioner on his own assured that he will be depositing some amount within two weeks towards the maintenance of respondent.

4. The Registry is directed to place report before 09.06.2025.

JUDGE

R.S. Sahare