



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

WRIT PETITION NO.3816 OF 2025

(Trupti w/o Shyam Bhagwat Vs. Shyam s/o Dashrathrao Bhagwat)

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

Court's or Judge's orders.

Mrs. D. I. Charlewar, Advocate for Petitioner.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATE: 23rd JULY, 2025.

1. Heard Advocate Mrs. Charlewar, learned counsel for petitioner.

2. The challenge is to order passed by the learned Civil Judge, Senior Division, Khamgaon in matrimonial proceeding, by which the learned trial Court has rejected the application filed by the wife seeking dismissal of the petition for divorce on account of failure of the husband to pay the arrears of maintenance.

3. Learned counsel for the petitioner submits that maintenance of Rs.10,000/- per month was granted by the learned trial Court by order dated 09.04.2019 to be paid by the husband from the date of application till conclusion of the lis, however, the husband is in arrears of amount of about Rs.5,00,000/-. She submits that since the husband failed to pay the maintenance amount, the wife had filed the application for dismissal of the petition at Exh.73, which

came to be rejected by the impugned order. She submits that the learned trial Court has wrongly observed that the husband has been paying the maintenance. She points out that even by the impugned order, the Court had directed the husband to pay remaining maintenance amount as early as possible. She therefore, submits that the impugned order is perverse.

4. In view of this, issue notice to the respondent, returnable on 06.08.2025.

(PRAFULLA S. KHUBALKAR, J.)

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