



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.8321 OF 2024

Umesh Dnyanoba Chokhat

..Petitioner

Vs.

Priyanka w/o. Umesh Chokhat

..Respondent

Mr.Sudhir K. Chavan, Advocate for petitioner

Mr.P.B.Rakhunde and Mr.Bhimrao R. Rathod, Advocates h/f.
Mr.S.B.Bhapkar, Advocate for respondent

CORAM : AJIT B. KADETHANKAR, J.
DATE : MARCH 11, 2026

ORDER :-

Heard learned counsel for the parties.

2. This petition arises out of the order dated 25.04.2024, passed by learned Judge, Family Court, Parbhani, on an application below Exh.15 in P.A. No.329 of 2021. The petitioner instituted a suit for divorce in the Family Court, Parbhani against the respondent. During the pendency of that suit, an application was filed by the respondent – wife seeking interim maintenance. Vide the impugned order, learned Judge of Family Court, Parbhani, allowed the application and directed the petitioners to pay interim maintenance of Rs.15,000/- per month to the respondent.

3. Today, when the matter is called out, a statement has been made at the bar by both learned counsel that the main divorce proceedings has been concluded by learned Judge of Family Court, Parbhani and a decree of divorce came to be passed. Learned counsel for the respondent further submits that the said decree is taken up by the respondent - wife in challenge before this Court and the appeal is pending. He would submit that the relation between the petitioner - husband and the respondent - wife are still intact.

4. Mr.Chavan, learned counsel for the petitioner, seeks leave to withdraw the Writ Petition.

5. Mr.Rakhunde, learned counsel for the respondent would submit that besides conclusion of the divorce proceedings, the interim order passed by learned Judge of the Family Court, Parbhani must be obeyed by the petitioner - husband and he cannot be escaped of that liability. Learned counsel for the respondent - wife submits that the object of the provision for interim maintenance is that the wife who is at weaker side be enable to carry out her livelihood. He submits that disobedience to the order passed by learned Judge, Family Court granting interim relief is not only mere disobedience but is also an act of contempt. He would submit that disposal of the divorce proceedings by itself does not take away the force of law which is comprised in the impugned order.

6. Since the petitioner wants to withdraw the present Writ Petition, leave is granted. The petition stands dismissed as withdrawn. The respondent - wife is at liberty to take appropriate recourse of law as is available for implementation and execution of the impugned order dated 25.04.2024 granting her interim maintenance.

[AJIT B. KADETHANKAR, J.]

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KBP