



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 WRIT PETITION NO. 4169 OF 2026

Kishor Subhashrao Deshmukh

VERSUS

Archana Kishor Deshmukh

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Advocate for Petitioner : Mr. M.M. Subhedar

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : April 27, 2026

PER COURT :-

1. Petitioner impugns order dated 17.11.2025 passed by Family Court, Parbhani in Regular Darkhast No.4 of 2023, thereby issuing arrest warrant against applicant/judgment debtor.

2. The petitioner filed a Hindu Marriage Petition seeking divorce against respondent/wife. The respondent/wife appeared before Family Court. She filed an application for interim maintenance @ Rs.5,000/- p.m. The Family Court allowed said application. The order passed by Family Court granting maintenance in favor of respondent has attained finality. The respondent preferred execution petition for recovery of maintenance. In spite of service of notice to petitioner regarding execution, he failed to deposit the

amount. Ultimately, on the request of respondent, order issuing arrest warrant has been passed.

3. Mr. Subhedar, learned advocate appearing for petitioner submits that ex-parte order thereby issuing warrant against petitioner has been passed. The petitioner was never served with the notice.

4. This Court finds that aforesaid argument are fallacious. Petitioner was well aware about maintenance order that was passed by the Family Court. As on today, there are dues of more than Rs.2,35,000/-. Petitioner appears to have deliberately avoided to pay the maintenance. Eventually, Family Court is required to issue arrest warrant. This Court do not find any reason to interfere in the order. Needless to state that petitioner shall be at liberty to approach the Executing Court and seek to defer execution of arrest warrant by giving undertaking to deposit due amount as one time settlement or by making installments thereto.

5. Writ Petition stands **dismissed** with aforesaid liberty.

(S. G. CHAPALGAONKAR, J.)

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