

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3707 OF 2022

Sabina Lakdawala w/o.
Late Yousuf M. Lakdawala ...Petitioner
V/s.
Komal Singh Rajput and Ors. ...Respondents.

WITH
INTERIM APPLICATION NO. 195 OF 2025
WITH
INTERIM APPLICATION NO.4577 AND 4578 OF 2025
IN
WRIT PETITION NO. 3707 OF 2022

Mathews J. Nedumpara ...Applicant
In the matter between
Mrs. Sabina Lakdawala ...Appellant
V/s.
Feroze Y. Lakdawala and Ors. ...Respondents.

WITH
WRIT PETITION NO. 713 OF 2023

1. Feroz Lakdawala
2. Noorie Lakdawala ...Petitioners
V/s.
Sabina Lakdawala & Anr. ...Respondents.

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Mr. Mathew J. Nedumpara (through VC) a/w. Ms Hemali K. and Mr. Dayanand i/by. Nedumpara and Nedumpara for the Petitioner - Sabina in WP/3707/22 and for the Applicant in IA/195/25.
Mr for the Applicant in IA/4577/25. And 4578/25.
Mr. Satish Maneshinde, Senior Advocate a/w Ms Anandini Fernandes, Adv. Namita Maneshinde i/by. Mr. Aditya Talpade for the Petitioners in WP/713/2023 and for Respondent Nos. 2 and 3 in WP/3707/2022.
Mr. B.V. Holambe Patil, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 17.02.2026.

P.C. :

1. Sabina Lakdawala, the petitioner in Writ Petition No. 3707 of 2022 has filed the application before the learned Magistrate under the provisions of Protection of Women from Domestic Violence Act for various reliefs and the said application is still pending.

2. By interim order dated 23rd February 2022, the learned Metropolitan Magistrate, 12th Court, Bandra, Mumbai directed the Feroz Lakdawala and Noorie Lakdawala, who are the respondent Nos.2 and 3 in Writ Petition No. 3707 of 2022 and the petitioners in Writ Petition No.713 of 2023, to pay amount of Rs.1,25,000/- per month towards interim maintenance and amount of Rs.75,000/- per month towards house rent to Sabina Lakdawala from October 2021 till disposal of the main application. Both parties filed the appeals against the order of the learned Magistrate. By the judgment and order dated 5th September 2022, learned appellate court has dismissed the appeal filed by the Feroz Lakdawala and Noorie Lakdawala and partly allowed the appeal filed by the Sabina Lakdawala. The order of the appellate court reads thus:

“O R D E R

1. *Criminal Appeal No.100137/2022, Feroz Lakdawala - Sabina Lakdawala stands dismissed.*
2. *Criminal Appeal No.100166/2022, Sabina Lakdawala - Feroz Lakdawala, stands partly allowed.*
3. *The Impugned Order Dt.23.02.2022, passed by the Learned MM, in Criminal Complaint No.1200191/2021, Sabina Lakdawala - Feroz Lakdawala, stands modified as follows:*
 - i. *The Respondent No.1 Feroz Lakdawala and Respondent No.2 Noorie Lakdawala, are directed to pay Rs.2,00,000/- (Rupees Two Lakhs) per month towards*

interim maintenance to Sabina Lakdawala, from October 2021, till disposal of main application.

ii. Rest part of the impugned order, stands confirmed.

4. Parties are informed about their right to challenge this judgment and period of limitation.

5. Order pronounced in open Court, in presence of Adv. Ms Sandhya Tirmare (for Sabina) and Adv. Ms Akansha Kalyanpur (for Feroz), by explaining substance of judgment.

6. Record, if any, be sent to the Learned Trial Court.

7. Inform the Learned Trial Court.

8. After appeal period, concerned Clerk to consign the Proceedings to Record Room, as per rules."

3. Sabina Lakdawala has filed Writ Petition No.3707 of 2022 against refusal of certain reliefs by the learned Magistrate and the appellate court, whereas the Feroz Lakdawala and Noorie Lakdawala have filed Writ Petition No. 713 of 2023 challenging the order passed by the learned Magistrate and the appellate court.

4. I have heard learned counsel for Sabina Lakdawala and learned senior counsel for Feroz Lakdawala and Noorie Lakdawala.

5. The present petitions are pending for about four years without any interim orders. The main application filed by Sabina Lakdawala is still pending before the learned Magistrate. Considering the said facts, it would be in the interest of justice to expedite the hearing of the main application pending before the learned Magistrate instead of deciding the present petitions on merits.

6. Learned senior counsel for Feroz Lakdawala and Noorie Lakdawala, on instructions, makes a statement that the arrears, if any in terms of the impugned orders, will be paid to Sabina Lakdawala within a period of two months from today. The statement is accepted. In the result, the following order is passed.

ORDER

A. The learned Magistrate shall make an endeavour to decide C.C.No (DV).1200191/2021 within a period of six months from the date of receipt of copy of this order.

B. Needless to mention that till decision of the main application, Feroz Lakdawala and Noorie Lakdawala shall pay the maintenance amount to the Sabina Lakdawala in terms of the impugned order.

C. The Petitions are disposed of in the aforesaid terms.

7. Pending Interim Applications stand disposed of.

[N.R.BORKAR, J.]