



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1453 OF 2026
IN
WRIT PETITION NO. 11395 OF 2025

Umesh Rajkumar Sharma

..Applicant/
Petitioner

Versus

Sita Umesh Sharma

...Respondent

Mr. Vishal Dushing (through VC) a/w Mr. Vaibhav Salvi,
Mr. Ashwet Bhoir, for the Applicant/Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : 20th APRIL 2026

P.C.:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this petition is to an order dated 25th April, 2024 passed by the learned Civil Judge, Senior Division, Vadgaon-Maval, whereby the objections raised by the petitioner - judgment debtor to the execution of an order of interim maintenance, came to be rejected.
3. The trial Court has granted interim maintenance in a Hindu Marriage Petition instituted by the petitioner for dissolution of the marriage. However, when the parties had agreed to co-habit together, and the petitioner had sought permission to withdraw the said marriage petition, the trial Court had permitted the petitioner to withdraw the marriage

petition. At that time, the trial Court had rejected the prayer of the respondent – wife, to enforce the order of interim maintenance.

4. It appears that, the petitioner and respondent did cohabit for a while, and, thereafter, they have again turned astray leading to the filing of prosecution and further proceedings.

5. In the impugned order, the learned Civil Judge has noted that, while rejecting the application filed by the respondent – wife to enforce the order of interim maintenance, the Court had then explicitly observed that, by filing a pursis for withdrawal of the marriage petition simpliciter, the interim order of maintenance, cannot be said to have been vacated.

6. The said position still obtains. Till the said order remains in force, the petitioner is bound to comply with the said order.

7. Thus, the learned Civil Judge has not committed any error in rejecting the objections raised by the petitioner to the execution of the interim order of maintenance.

8. Resultantly, the Writ Petition stands dismissed.

9. Interim Application No.1453 of 2026 also stands dismissed.

[N. J. JAMADAR, J.]