



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

CRIMINAL WRIT PETITION NO. 206 OF 2026

[Mrs. Vaishali W/o Shailesh Bhoyar **vs.** Mr. Shailesh S/o Sheshrao Bhoyar and ors.]

Office Notes, Office Memoranda
of Coram, Appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. S. B. Tiwari, Advocate for the petitioner
Mr. M. J. Khan, A.P.P. for the State

CORAM : **ANIL L. PANSARE AND**
NIVEDITA P. MEHTA, JJ.

DATE : **13-03-2026.**

Heard.

Issue notice to the respondents, returnable
in three weeks.

Learned Additional Public Prosecutor waives
notice for the State/respondent no. 5.

The petitioner, who otherwise claims to be
involved in private work/consultation, appears to be
Lawyer by profession and has approached this Court
seeking direction to the trial Court to hear and decide
interim application expeditiously.

We will consider this prayer in due course.
The immediate relief that is sought is to protect
petitioner's possession by granting stay to order dated
26-3-2025 passed by the competent authority under the
provisions of the Maintenance and Welfare of Parents
and Senior Citizens Act, 2007.

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Interim relief seeking protection of possession is refused for the reason that the learned Single Judge of this Court in Writ Petition No. 2312/2025 vide judgment dated 12-1-2026 directed the petitioner's husband to vacate the premises and, if required, with the aid of police. The said order is not yet challenged and in that sense, it has attained finality. Therefore, and in absence of challenge to order dated 26-3-2025 passed by the competent authority, which is upheld by the learned Single Judge, said order cannot be stayed.

Copy of the order shall be served to the trial Court i.e. 22nd Joint Civil Judge Senior Division and ACJM, Nagpur with a request to decide the application filed by the petitioner under Section 23 of the Protection of Women from Domestic Violence Act, 2005 in Criminal Miscellaneous Application No. 1299/2026 as expeditiously as possible.

(JUDGE)

(JUDGE)

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