



(916) WPCR 63.2023

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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 63 OF 2023

GAURANGI NAIK ... PETITIONER

Versus

DATTATRAI NAIK AND ANR. ... RESPONDENTS

*Mr. Ashwin D. Bhobe with Ms. Shaizeen Shaikh,
Advocates for the Petitioner.*

Mr. Vinod Korgaonkar, Advocate for Respondent No. 1.

*Mr. Pravin Faldessai, Additional Public Prosecutor for
Respondent No. 2.*

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 16th OCTOBER, 2024.

P.C.:

1. After hearing learned Counsel for the parties in presence of Respondent No.1/Husband, it is now submitted that Respondent No.1 is ready and willing to pay Rs.10,000/-

(Rupees Ten Thousand only) per month as interim maintenance to the Petitioner.

2. Mr. Bhobe, learned Counsel appearing for the Petitioner submits that the Petitioner will agree upon suggestions given by the Court.

3. It is admitted fact that the maintenance petition under Section 125 Cr.P.C. is still pending before the Trial Court. It is reported that Respondent No.1/Husband is in the witness box and there is likelihood of disposal of such proceedings as early as possible.

4. The present petition was filed challenging the order of the learned Magistrate, who refused to enhance the interim maintenance which was then confirmed by the Appellate Court.

5. Without going into the merits of said contentions, Respondent No.1 who is present in the Court undertakes to

pay interim maintenance at the rate of Rs. 10,000/-(Rupees Ten Thousand only) per month to the Petitioner. The undertaking given by Respondent No.1 to pay Rs. 10,000/- (Rupees Ten Thousand only) per month is considered as undertaking given to this Court.

6. Maintenance shall be paid from this month itself as undertaken by Respondent No.1/Husband. Such interim maintenance shall be applicable till the disposal of the main petition. Respondent No.1 shall continue to pay monthly maintenance at the rate of Rs. 10,000/-(Rupees Ten Thousand only) to the Petitioner as per the mode by which he used to pay an amount of Rs. 5,000/- (Rupees Five Thousand only).

7. In view of the above observations and the fact that Respondent No.1 is now ready to pay Rs. 10,000/-(Rupees Ten Thousand only) per month as interim maintenance, and

the fact that main petition filed under Section 125 of Cr.P.C.
is at the fag end, petition stands disposed of in the above
terms.

BHARAT P. DESHPANDE, J.