

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 148 OF 2002.

Smt. Shyama Shyamsunder Redker,
wife of Shri Shyamsunder Redker,
Major, housewife, residing at
present with her father Devidas
C. Kavlekar, Farmagudi, Ponda,
Goa. ... Petitioner.

VERSUS

Shri Shyamsunder Redker,
major married, businessman,
residing at House No.750,
Near Nehru Stadium,
Fatorda, Margao, Goa. ... Respondent.

Mrs. A.A. Agni, Advocate for the Petitioner.

Mr. S.S. Kakodkar, Advocate for the Respondent.

CORAM: P. V. KAKADE, J.

DATE: 28TH NOVEMBER, 2002.

ORAL JUDGMENT:

Heard. Admit. By consent heard immediately.

2. After hearing both the sides, the learned counsel for the respondent agreed to the proposal given by the Court to pay certain amount towards interim maintenance to the Applicant/wife, along with certain amount towards arrears by way of lumpsum payment. Having considered the proposal given by the respondent agreed by the Applicant, it is hereby directed that the respondent/husband shall pay the amount of Rs.250/- to the Applicant towards interim maintenance with effect from 1.12.2002 pending the hearing of the maintenance

application along with the amount of Rs.3000/- towards arrears in lumpsum. The lumpsum amount to be paid to the Applicant within four months from the date of this order. The interim amount payment shall be commenced with effect from 1st December, 2002 and every month the respondent shall pay the said amount to the Applicant on or before 10th day of every month. This Order is passed without prejudice to the rights and liabilities of either side and shall be treated as purely temporary arrangement between the parties till the issues involved are decided and adjudicated on merits at the time of final hearing of the maintenance application. In view of these directions, the impugned Order of II Addl. Sessions Judge, Panaji, dismissing the Revision Petition is set aside.

3. The observations made in this order shall in no way influence the lower Court while adjudicating the entire dispute regarding maintenance on merits. The lower Court is directed to dispose of the impugned petition for maintenance within six months from the date of this Order.

4. With these directions, the Criminal Misc. Application stands disposed of.

sl.

P. V. KAKADE, J.