

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

910 CRIM. APPLICATION NO. 6275 OF 2016

**SHAIKH AJAZ S/O SHAIKH CHAND
& ORS.**

VERSUS

NOUSHIN W/O SHAIKH AJAZ

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Mr. C.V.Thombre, Advocate for Applicants.

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CORAM : Z.A.HAQ, J.

DATE : 30th NOVEMBER, 2016

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ORAL ORDER :

1. The applicants have challenged the order passed by the learned Judicial Magistrate First Class, Aurangabad in Criminal Misc. Application No. 315/2015 on 29/02/2016, by which the learned Magistrate has directed the applicants to pay maintenance to the non applicant. The applicants have placed on record copy of memo of Appeal filed

u/s 29 of the Protection of Women from Domestic Violence Act, 2005 by which the same order which is impugned in this application is challenged before the Sessions Court. The filing of this application is an abuse of process of law.

2. The application is dismissed. The applicants shall deposit ₹ 5,000/- [Rupees Five Thousand] with the High Court Legal Services Committee, Aurangabad within 4 weeks and produce receipt of it on the record of the Appeal before the Sessions Court, failing which the learned Sessions Judge shall pass appropriate orders considering it to be non compliance of the order passed by this Court.

[Z.A.HAQ, J.]