

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION NO. 401 of 2019**

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KISHOREBHAI JAMATMAL RAMCHANDANI

Versus

STATE OF GUJARAT

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1
for the Respondent(s) No. 2,3

MR. K.L.PANDYA, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE V.P. PATEL**Date : 15/04/2019****ORAL ORDER**

1. Heard learned Advocate Mr. P.P.Majmudar for Applicant.
2. It is submitted that after the filing the Criminal Revision Application, the order dated 10.4.2019 is passed by the learned 5th Additional Chief Judicial Magistrate, Vadodara in Criminal Misc. Application No. 3619/2015, filed by the Opponent No.2 – Wife, under the Domestic Violence Act, rejecting the same. It is further submitted that as regards to the capability of maintenance by herself is discussed in the said order.
3. Learned Advocate for the Applicant submitted that the learned trial court has not considered the evidence produced by the Applicant – Husband in proper perspective.
4. Issue Notice returnable on 17.6.2019 on condition to pay an amount of Rs.10,000/- to be paid to the Opponent – Wife as expenses towards these proceedings, which may be deposited before the trial court within a period of one week from today.

5. Learned APP Mr. K.L.Pandya appears and waives service of Notice on behalf of Opponent No.1 – State of Gujarat.
6. Learned Advocate for the Applicant has requested to grant interim relief in terms of paragraph 18(B).
7. Considering the facts and circumstances, 50% of the amount as per the impugned order be paid by the Applicant – Husband within a period of 3 weeks from today and he shall continue to pay the amount of maintenance as per the impugned order.

(V. P. PATEL,J)

J.N. W