

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (FOR MAINTENANCE) NO. 978 of
2025**

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BRIJESHBHAI VRAJLAL TRAMBADIYA

Versus

SONALBEN BRIJESHBHAI TRAMBADIYA & ORS.

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Appearance:

MS KRUTI SHAH FOR MR JAY N SHAH(10668) for the Applicant(s) No. 1

MR HK PATEL APP for the Respondent(s) No. 3

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CORAM:HONOURABLE MR.JUSTICE L. S. PIRZADA**Date : 07/07/2025****ORAL ORDER**

1. Learned advocate Ms.Kruti Shah for the applicant submitted that the present revision application has been preferred, challenging the order dated 18.10.2024 passed by the learned Judge, Family Court No.2, Rajkot in Criminal Misc. Application No.755 of 2018 and the order dated 20.05.2025 passed by the learned Judge, Family Court No.2, Rajkot in Criminal Misc. Application No.1263 of 2024 below exh.1 filed under Section 144(3) of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, the "BNSS") whereby, the warrant has been issued against the present applicant.

2. It is submitted that the learned Family Court, by

order dated 18.10.2024 passed in Criminal Misc. Application No.755 of 2018, directed the present applicant to pay sum of Rs.7,000/- per month towards maintenance of the respondent no.1 - wife and Rs.4,000/- per month towards maintenance of the respondent no.2 - minor son. Thereafter, an application under Section 144(3) of the BNSS has been preferred being Criminal Misc. Application No.1263 of 2024 wherein, earlier, the notices have not been served. Subsequently, the respondent - wife has also moved an application before the learned Court and also provided the new address of the present applicant but, instead of that, the notice has been issued on the old address and thereafter, the Court has passed an order, issuing the warrant. Further, it is submitted that the arrears of maintenance is of Rs.5,45,000/- and the present applicant is ready and willing to deposit 50% amount of the arrears of maintenance within 4 weeks and also ready and willing to deposit further 50% amount of maintenance within 4 weeks thereafter.

3. Considering the fact that the present applicant is ready and willing to pay 50% of the amount of maintenance regularly i.e. Rs.5500/- before the concerned learned Family Court within a stipulated time and also ready and willing to deposit 50% amount of arrears of maintenance within 4 weeks thereafter and the applicant is also ready and willing for settlement of the dispute, issue notice to the respondents, making it returnable on 07.08.2025. The learned A.P.P. waives service of notice for the respondent - State.

4. Interim relief in terms of para 7(B) is granted on the following conditions:-

(1) The present applicant has to deposit 50% amount of maintenance before the learned Family Court, Rajkot within 4 weeks from the date of passing of this order and further 50% amount of arrears of maintenance to be deposited before the learned Family Court, Rajkot within 4 weeks thereafter.

(2) The present applicant to pay the amount of maintenance of Rs.5500/- per month to the respondents regularly till further orders.

Hitesh

(L. S. PIRZADA, J)