

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13216 of 2024**

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MITESH PIYUSHBHAI OZA

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR ASIT B JOSHI(2567) for the Petitioner(s) No. 1

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**Date : 12/09/2024****ORAL ORDER**

Mr Asit B. Joshi, learned advocate for the petitioner submitted that the provisions of sub-section (6) of Section 6 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 provides for conciliation before hearing an application under Section 5. In the present case, no attempts were put for conciliation and straightaway, order has been passed directing the petitioner to pay the maintenance.

2. It is next submitted that there is a clear admission on the part of the father that he is earning Rs. 8,000/- per month, despite which, the order has been passed. Mr Asit B. Joshi, learned advocate, upon instructions states that the petitioner shall pay Rs.75,000/- to the respondent nos.3 and 4 and the remainder amount which has been ordered to be paid, shall be deposited with the registry of this Court by 20.09.2024.

3. Considered the submissions. Issue notice to the respondents, returnable on 15.10.2024.

4. In the meantime, respondent authorities, are directed not to take any coercive steps on condition that the petitioner, pay an amount of Rs.75,000/- to the respondent nos.3 and 4 by 20.09.2024 and remainder amount of Rs.93,000/- shall be deposited with the registry of this Court by 20.09.2024.

5. Direct service is permitted.

BINOY B PILLAI

(SANGEETA K. VISHEN,J)