

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL REVISION APPLICATION (FOR MAINTENANCE) NO. 1574
of 2025**

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PRAKASHBHAI S/O. VAJUBHAI AMBALIYA

Versus

TRIGUNABEN W/O PRAKASHBHAI AMBALIYA & ORS.

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Appearance:

MR BHAVESH P TRIVEDI(2731) for the Applicant(s) No. 1

MR RR TRIVEDI(941) for the Applicant(s) No. 1

MR. NIRAJ SHARMA APP for the Respondent(s) No. 4

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CORAM:HONOURABLE MR.JUSTICE L. S. PIRZADA

Date : 04/09/2025

ORAL ORDER

Issue notice to the respondent no.1 through concerned police station, returnable on 01.10.2025. Learned APP waives service for the respondent - State.

Heard the learned advocate for the applicant and it is submitted that an application has been preferred by the present respondent no.1 - wife for recovery of the amount of maintenance which is due from 03.02.2024 to 03.01.2025 and the application came to be preferred before the learned Family Court in the month of April, 2025 and the said application came to be objected by the present applicant by preferring written objections vide Exhibit-9 and the said objection has not been considered by the learned Family

Court and simply, rejected the application as the present applicant – original opponent was not remained present and the arrears of the maintenance amount has not been paid and it was rejected on 19.07.2025 and merely, an application has been given by the applicant before the Court for issuance of the recovery warrant vide Exhibit-10 and the same was simply granted without assigning any reasons by the Family Court and the application has been given by the present petitioner to stay the recovery warrant but it was also rejected. Further, it is submitted that issuance of warrant is for the period of more than 12 months and the application for recovery of the maintenance amount has not been preferred within time limit. After the expiry of the 12 months, the present application has been preferred.

Considering the arguments, the present application requires consideration. Hence, *ad interim injunction* in terms of para 13(b) is granted till then.

(L. S. PIRZADA, J)

JCP