

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (FOR MAINTENANCE) NO. 16669
of 2024**

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**KARTIK PRAVINBHAI VALA
Versus
STATE OF GUJARAT & ANR.**

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Appearance:

NIKITA S BAROT(7417) for the Applicant(s) No. 1

SANSKRUTI R SHUKLA(8913) for the Applicant(s) No. 1

MS. SHRUTI PATHAK, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 18/12/2024****ORAL ORDER**

1. Heard learned advocate Ms. Sanskruti Shukla for the petitioner and learned APP for the respondent – State.

2. Learned advocate for the petitioner has submitted that the entire amount towards the arrears is paid and the receipt is also executed before the concerned trial Court by the respondent No.2-wife on 17.12.2024, whereby, it is stated that earlier Rs.32,000/- is paid and now, Rs.1,18,000/- is paid and therefore, total Rs.1,50,000/- has already been paid pursuant to the orders passed by the Courts below. Therefore, she has submitted that, at present, no arrears are there. She has further submitted that the amount which is awarded by the Courts below is on higher side without

properly considering the ratio of judgment in the case of Rajnesh Vs. Neha reported in (2021) 2 SCC 324 and therefore, she submits that, the petitioner is ready to pay the amount at the rate of Rs.4,000/- per month as he has to look after the ailing mother and brother.

3. Considering the submissions made at the bar, matter requires consideration.

4. Issue **Notice, Notice** as to interim relief, returnable on **16.01.2025**. Learned APP waives service of notice on behalf of the respondent – State.

SLOCK BAROT

(SANDEEP N. BHATT,J)