

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL REVISION APPLICATION (FOR MAINTENANCE) NO. 2615  
of 2025**

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VIJAYBHAI GABHARUBHAI ALIAS GAMBHIRDAS VITTHALANI  
Versus  
STATE OF GUJARAT & ANR.

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Appearance:  
MR MAHESH K POOJARA(5879) for the Applicant(s) No. 1  
MR ROHAN N SHAH, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL****Date : 05/01/2026****ORAL ORDER**

1. Heard learned advocate for the applicant.
2. Considering the averments made in the application as well as the fact that the husband is HIV positive. More particularly, the wife accepting the fact that the brother of the respondent is maintaining which is recorded in Para 11, Page 12 & 13 of the impugned order.
3. Coupled with the fact that she is not even ready to go even if the amount of maintenance is granted and a separate house is given. Under the circumstances the present application deserves consideration. Hence, Notice returnable on **29.01.2026**.
4. Learned advocate for the applicant submits that

the applicant has ready and willing to pay lump sum towards the arrear of maintenance to the tune of Rs.1,00,000/- within 4 weeks from today and further amount of Rs.1,00,000/- within 6 weeks, thereafter. Under the circumstances, the order dated 06.11.2025 passed by learned Principal Judge, Family Court, Surat in Criminal Misc. Application No.586 of 2021 granting maintenance to the tune of Rs. 20,000/- per month from 15.07.2021 to 15.11.2025 and from 16.11.2025 an amount of Rs.25,000/- per month is hereby stayed till the next returnable date.

Direct service is permitted.

MOHD SAIF ULLAH

**(P. M. RAVAL, J)**