



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CRIMINAL WRIT PETITION NO. 768 OF 2026

RAJESH ROHIDAS TEKALE
VERSUS
MANISHA RAJESH TEKALE AND OTHERS

...
Mr. S. B. Choudhari, Advocate for the Petitioner

CORAM : R. M. JOSHI, J.

DATED : 9th JUNE, 2026

P. C. :-

1 Learned Advocate for the petitioner submits that the Appellate Court has failed to take into consideration the fact that, although the application for interim maintenance was filed in the year 2019, no steps were taken for a period of five years to seek any order thereon. It is his contention that the trial Court had rightly directed payment of the maintenance amount from the date of the order, considering the conduct of the respondents herein. It is further submitted that the Appellate Court, in the impugned judgment, has ignored the said aspect and directed payment of maintenance from the date of the application. He, therefore, seeks stay of the impugned order.

2. *Prima facie* perusal of the record more particularly the order passed by the Appellate Court does not show that any cognizance being taken

by the Appellate Court indicating the conduct of the original applicant. Moreover, it is also not considered as to the reason for which the application which was filed in the year 2019, came to be decided in 2024. Having regard to these facts, till the respondents are served and heard, the impugned order deserves to be stayed. Hence, till the next date of hearing, there shall be ad-interim relief in terms of prayer clause 'C'.

4. At the request of learned Advocate for the petitioner, issue notice to respondent Nos.1 and 2 only, returnable on 3rd July, 2026.

(R. M. JOSHI, J.)

ssp