



Esha

**IN THE HIGH COURT OF BOMBAY AT GOA****CRIMINAL MISC. APPLICATION NO.62 OF 2026****IN****CRIMINAL WRIT PETITION NO.49 OF 2026 (F)****DATTARAM NAGUEXA CHARI****... APPLICANT****Versus****SNEHA CHARI AND 2 ORS****... RESPONDENTS**

Ms. Apeksha Kalokhe, Advocate for the Applicant.

Mr. S.D. Lotlikar, Senior Advocate with Mr. Sarvesh Sawant,
Advocate for Respondent No. 1.

CORAM:- AMIT S. JAMSANDEKAR, J.**DATED :- 8th May, 2026****P.C:**

Heard the learned Counsel for the parties.

2. By the present Application, the Applicant/Petitioner seeks modification of the order dated 30th April 2026. One of the grounds for modification of the order is that the Petitioner has no money to deposit the balance interim maintenance ordered to be deposited vide order dated 30th April 2026.

3. Opportunity was given to the Petitioner to deposit the balance amount of Rs.3,60,000/- in this Court as a pre-condition for hearing the Writ Petition. In view of the fact that though there was no stay operating against the impugned order, the Petitioner on his own chose



not to comply with the order.

4. Today, it is submitted that there are Execution proceedings initiated by Respondent No. 1 pending before the Trial Court. It is further submitted that in view of the fact that the Petitioner has not sought stay of the impugned order, the pre-condition for hearing the present Writ Petition be modified.

5. The request of Ms. Kalokhe is not justified on any of the grounds raised. Prima facie, I am of the opinion that, since the Execution proceedings are pending before the Trial Court and the Petitioner in the present Petition has not sought a stay of the impugned order, the Writ Petition filed by the Petitioner is being misused. Therefore, the request is rejected. Accordingly, the Criminal Miscellaneous Application stands dismissed.

AMIT S. JAMSANDEKAR, J.