

THE GAUHATI HIGH COURT AT GUWAHATI

(THE HIGH COURT OF ASSAM: NAGALAND: MIZORAM AND ARUNACHAL PRADESH)

No. HC.III-40/2019/ 3244 /G

From: **Sri R.A. Tapadar,**
Registrar (Judicial),
Gauhati High Court, Guwahati.

To: **The District & Sessions Judge,**
Baksa / Barpeta / Bongaigaon / Cachar / Chirang / Darrang / Dhemaji / Dhubri /
Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi / Jorhat / Kamrup (M) /
Kamrup / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur / Morigaon / Nagaon /
Nalbari / Sivasagar / Sonitpur / Tinsukia / Udalguri.

Dated: Guwahati, the 18th of November, 2020

Sub.: Order dated 04.11.2020 of Hon'ble Supreme Court of India passed in Criminal Appeal
No.730 / 2020.

Sir/ Madam,

With reference to the subject cited above, I am directed to forward herewith a copy
of order dated 04.11.2020 passed in Criminal Appeal No.730 / 2020 (Rajnish Vs. Neha &
Anr.) for information and compliance thereof.

You are further requested to circulate the order amongst the Judicial Officers in your
establishment and also upload the same in the District Court website.

With warm regards.

Yours faithfully,

R. A. Tapadar
18.11.20

REGISTRAR (JUDICIAL)

18/11/2020

Encl. : As stated above

THE GAUHATI HIGH COURT AT GUWAHATI

(THE HIGH COURT OF ASSAM: NAGALAND: MIZORAM AND ARUNACHAL PRADESH)

No. HC.III-40/2019/ 3245 /G

From: **Sri R.A. Tapadar,**
Registrar (Judicial),
Gauhati High Court, Guwahati.

To: **The Chief Judicial Magistrate,**
Baksa / Barpeta / Bongaigaon / Cachar / Chirang / Darrang / Dhemaji / Dhubri /
Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi / Jorhat / Kamrup (M) /
Kamrup / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur / Morigaon / Nagaon /
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THE GAUHATI HIGH COURT AT GUWAHATI

(THE HIGH COURT OF ASSAM: NAGALAND: MIZORAM AND ARUNACHAL PRADESH)

No. HC.III-40/2019/ 3246 /G

From: **Sri R.A. Tapadar,**
Registrar (Judicial),
Gauhati High Court, Guwahati.

To: **The Principal Judge,**
Family Court,
Barpeta / Cachar / Dhubri / Kamrup (M) – I, II & III / Nalbari

Dated: Guwahati, the 18th of November, 2020

Sub.: Order dated 04.11.2020 of Hon'ble Supreme Court of India passed in Criminal Appeal No.730 / 2020.

Sir/ Madam,

With reference to the subject cited above, I am directed to forward herewith a copy of order dated 04.11.2020 passed in Criminal Appeal No.730 / 2020 (Rajnish Vs. Neha & Anr.) for information and compliance thereof.

You are further requested to circulate the order amongst the Judicial Officers in your establishment.

With warm regards.

Yours faithfully,

R. A. Tapadar
18.11.20

REGISTRAR (JUDICIAL)

WH
18.11.2020

Encl.: As stated above

REPORTABLE

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 730 OF 2020
(Arising out of SLP (Crl.) No. 9503 of 2018)**

Certified to be true copy
Assistant Registrar (Judl.)
Supreme Court of India

RAJNESH

...APPELLANT

Versus

NEHA & Anr.

...RESPONDENTS

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PART A

Leave granted.

- (i) The present Criminal Appeal arises out of an application for Interim Maintenance filed in a petition u/S. 125 Cr.P.C. by the Respondent-wife and minor son. The Respondent No.1-wife left the matrimonial home in January 2013, shortly after the birth of the son-Respondent No.2. On 02.09.2013, the wife filed an application for interim maintenance u/S. 125 Cr.P.C. on behalf of herself and the minor son. The Family Court *vide* a detailed Order dated 24.08.2015 awarded interim maintenance of Rs.15,000 per month to the Respondent No.1-wife from 01.09.2013; and Rs.5,000 per month as interim maintenance for the Respondent No.2-son from 01.09.2013 to 31.08.2015; and @ Rs. 10,000 per month from 01.09.2015 onwards till further orders were passed in the main petition.
- (ii) The Appellant-husband challenged the Order of the Family Court *vide* Criminal Writ Petition No.875/2015 filed before the Bombay High Court, Nagpur Bench. The High Court dismissed the Writ Petition *vide* Order dated 14.08.2018, and affirmed the Judgment passed by the Family Court.
- (iii) The present appeal has been filed to impugn the Order dated 14.08.2018. This Court issued notice to the wife and directed the Appellant-husband to file his Income Tax Returns and Assessment Orders for the period from 2005-2006 till date. He was also directed to place a photocopy of his passport on record. By a further Order dated 11.09.2019, the Appellant-husband was directed to make payment of the arrears of Rs.2,00,000 towards interim maintenance to the wife; and a further amount of Rs.3,00,000, which was due and payable to the wife towards arrears of maintenance, as per his own admission. By a subsequent Order dated 14.10.2019, it was recorded that only a part of the arrears had been paid. A final opportunity was granted to the Appellant-husband to make payment of the balance amount by 30.11.2019, failing which, the Court would proceed under the Contempt of Courts Act for wilful disobedience with the Orders passed by this Court.