

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Revision Application No.144 of 2014

Mohd Riyaz S/o Abdul Wali Naik. .. **Petitioner.**

Versus

Wasimaanjum W/o Mohd. Riyaz
And Another. .. **Respondents.**

Shri. P.P. Mandlik, Advocate, holding for Shri. Amol S.
Gandhi, Advocate, for petitioner.

Shri. Arun R. Vyawahare, Advocate, holding for Shri. G.
Shinde, Advocate for respondent No.1.

CORAM: T.V. NALAWADE, J.

DATE : 18th JUNE 2015

ORDER:

1) The petition is filed to challenge the interim order made by the learned Judge, Family Court Nanded in proceeding No.E-191/2014 . By interim order on Exhibit 5 the learned Judge has granted interim maintenance of Rs.1500/- per month to the wife of the petitioner and at the same rate interim maintenance is given to the kid of the petitioner aged hardly of 7 months at the relevant time. Both the sides are heard.

2) It is the case of the wife that she had gone to parents house for delivery and after that she was not taken back to the matrimonial house by the husband. It is her case that her husband has not made any provision for her maintenance and she is unable to earn for herself and her child. The husband denied the allegations. It is his case that the wife does not like him and she left the matrimonial house on her own.

3) The wife had approached the Grievance Redressal Forum appointed for taking care of such grievances and then she approached the Court. The contention of the wife that the husband is working as Lineman and his monthly income is more than Rs.15000/- per month is not accepted by the Family Court by observing that there is no record for proving the contention. The Judge presumed that husband is earning Rs. 200/- per day by doing labour work. The case is of the year 2014. Any labour can earn more than Rs.5000/- per month in these days by doing labour work. The husband will be required to pay total amount of Rs.3000/- for maintenance of his wife as the wife is not expected to

work in view of the age of her son. It is by way of interim maintenance and the order is made after considering the capacity of the husband and the requirements of the wife and the issue. There is no reason to interfere in the order. The petition stands dismissed.

Sd/-
(T.V. NALAWADE, J.)

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