

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
CRIMINAL APPELLATE JURISDICTION.**

Criminal Revision Application No.129 Of 2002.

Kaduba s/o Yeshwant Gunjal.
Age.: 23 Years., Occ.: Agriculturist.
R/o.: Mangrool, Tal. Sillod,
Dist. Aurangabad. :: **Applicant.**

Versus.

Sumanbai w/o Kaduba Gunjal.
Age.: 20 Years., Occ.: Household.
R/o.: c/o. Mohan Ukhaji Dubile.
R/o.: Padhegaon, Tal.& Dist. Aurangabad. :: **Non-Applicant.**

Appearance ==>

Mr. R.S. Barlota, Advocate for the Applicant.

Mr. Yogesh Bolkar, Advocate h/for Mr. D.P. Palodkar, Advocate for the Non-Applicant.

CORAM : V.M. DESHPANDE, J.

DATE : 11th FEBRUARY, 2015.

ORAL JUDGMENT :-

Rule. Rule made returnable forthwith. Taken up for final hearing with consent of both the parties.

[2] Heard Mr. R.S. Barlota, Advocate for the Applicant – husband and Mr. Yogesh Bolkar, Advocate h/for Mr. D.P. Palodkar, Advocate for the Non-Applicant - wife.

[3] By this Criminal Revision Application, the applicant is challenging the order dated 18th April, 2002 passed by the learned Judge, Family Court, Aurangabad in Petition No.E-843 Of 2001 filed by the Non-Applicant under Section 125 of the Code of Criminal Procedure.

[4] The Non-Applicant is the wife of present applicant and relations subsisting between the parties is not in dispute. Non-Applicant was required to file application under Section 125 of the Code of Criminal Procedure for grant of maintenance; since she was refused and neglected to maintain for justifiable reason at the hands of the present applicant. In the said application, she pointed out that the applicant is bodily able person and having five acres irrigated agricultural land and he is getting income of Rs.50000/- per year.

[5] The order impugned demonstrates that though on earlier occasion, attempts were made for re-conciliation, it was failed and the learned Judge, Family court, in my view has correctly recorded the findings that the husband was responsible for reaching to such situation. The learned Judge of court below after considering the pleadings, documents and evidence on record has reached to the conclusion that the wife is entitled to receive monthly maintenance allowance @ Rs.400/- from the date of Application.

[6] I see no reason to interfere with the order dated 18th April, 2002 passed by the learned Judge, Family Court, Aurangabad in Petition No.E-843 Of 2001 filed by the Non-Applicant under Section 125 of the Code of Criminal Procedure, since it does not suffers from any illegality or perversity and since the learned counsel for the applicant was unable to points out any mistake apparent on the face of record warranting this court

to exercise my revisional jurisdiction. In view of the above discussion, Criminal Revision Application is dismissed. Rule discharged.

(V.M. DESHPANDE, J.)