

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

CRIMINAL WRIT PETITION NO. 23 OF 2003

Vijaykumar s/o Sadashiv Mule,
age 41 years, occ. Service,
rr/o Utkarsha, Tq. Ausa, Dist. Latur

...Petitioner

VERSUS

1] Pallavi Vijaykumar Mule,
age 12 years, under the
Guardianship of her mother
respondent no.2

2] Sow. Meenabai w/o Vijaykumar Mule,
age 30 years, occ household,
r/o Sakol, Tq. Shirur-Anantpal,
District Latur

...Respondents

.....
Shri D.G.Nagode, advocate for petitioner
Shri S.S.Manale, advocate for respondents
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CORAM : V.M.DESHPANDE, J.

DATED : 13th February, 2015

ORAL JUDGMENT : -

1] The present Writ Petition is directed against the judgment and order passed by the learned Ad hoc Additional Sessions Judge, Nilanga, dated 25.9.2002, whereby the learned Revisional court dismissed the Revision filed on behalf of present petitioner, who challenged the judgment and order passed by the learned Judicial Magistrate, First Class, Nilanga

on 10.5.2002 in Criminal Miscellaneous Application No. 85 of 2000, whereby learned Magistrate was pleased to grant maintenance at the rate of Rs.500/- per month to daughter Pallavi and Rs.1,000/- per month to wife Meenabai.

2] I have heard Shri D.G.Nagode, learned counsel for the petitioner and Shri S.S.Manale, learned counsel for respondent nos. 1 and 2/original applicants daughter and wife. With the assistance of learned counsel, I have gone through the impugned order in detail. The impugned order does not suffer from any irregularity or perversity.

3] Both the courts below have considered that though the petitioner was under obligation to maintain his wife and daughter, without any reasonable cause he has failed to do so. The learned trial court on evaluation of the income of the present petitioner has reached to the quantum. The quantum is just in proportionate to the income of the husband. There is no perversity appearing in the impugned judgment. Learned counsel for the petitioner was unable to point out any error on the face of record warranting interference by this court in the writ jurisdiction. Hence, Writ Petition is dismissed.

[V.M.DESHPANDE, J.]

