

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

WRIT PETITION NO. 8765 OF 2013

Snehal @ Gayatri w/o Rajesh Bhole ... Petitioner

versus

Rajesh s/o Motiram Bhole ... Respondents

Mr. Prassna N. Kutti, Advocate for petitioner

Mr. P. P. Chavan, Advocate for respondent

CORAM : SUNIL P. DESHMUKH, J.

DATE : FEBRUARY 11, 2015

ORDER

1. Heard the parties.
2. This writ petition has been filed against the order dated 4-9-2013 on Exhibit-51 in petition bearing H.M.P. No. 347 of 2009, of learned 2nd Joint Civil Judge, Senior Division, Jalgaon.
3. Exhibit-51 had been filed by the present petitioner for, according to her, while she would be entitled to maintenance at Rs.20,000/- per month having regard to income of the respondent and her requirements.

4. The learned judge appears to have considered that the present petitioner had been working as lecturer till February, 2013 and had been fetching about Rs.18,000/- per month as salary. This evidence, however, is opposed by applicant-wife on the ground that though salary slip shows monthly income of Rs.18,000/-, factually she was getting far less amount than is shown.

5. The petitioner does not appear to be any longer in service. In view of that, learned judge, taking into account pros and cons, directed to pay Rs.3,000/- per month. The court has taken into account various aspects, including income-tax statements of husband and his income and circumstances surrounding the petitioner and respondent.

6. Learned counsel for respondent submits that the main proceedings i.e. HMP No. 347 of 2009 has been heard and closed for orders and posted to 18-02-2015.

7. It is being contended that order dated 04-09-2013 is not complied with, it would be expedient that the respondent complies with the same by depositing entire amount pursuant to said order in the court of 2nd Joint Civil Judge, Senior Division, Jalgaon, by 18-02-2015 and the same shall be allowed to be withdrawn by present writ petitioner.

8. Taking into account aforesaid, since the HMP No. 347 of 2009 is closed and posted for decision, I do not deem it appropriate to deal with present writ petition on merits, however, all the points raised shall remain open for being agitated if occasion for the same arises.

9. Writ petition, with observations as aforesaid, stands disposed of.

SUNIL P. DESHMUKH, J.

pnd