

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.88 OF 2015

Rajendra Lalchand Jain .. Petitioner
-Versus-
Pooja Rajendra Jain & Anr. .. Respondents

Mr.S.H.Mishra for petitioner
Mrs.Pooja R. Jain respondent No.1 present in person
Mrs.V.S.Mhaispurkar, APP for State.

CORAM : M.L.TAHALIYANI, J.

DATE : 10th February 2015.

P.C.

1] Heard the learned Counsel for the petitioner and respondent in person. Heard the learned APP for State.

2] The petitioner is aggrieved by the order passed by the learned Additional Sessions Judge in Appeal No.107 of 2014 filed by the applicant against the order of the Magistrate. The learned Magistrate has passed interim order under Protection of Women from Domestic Violence Act in C.C.No.2145/SS/14. The order of the Magistrate runs as under:-

“(1) The respondent is directed to pay Rs.10,000/- as interim maintenance to the applicant and Rs.10,000/- per month for her two children for their education expenses, from the date of this application i.e. 25.4.2014.

(2) Further, the respondent is directed to pay Rs.12,000/- per month to the applicant as rent for alternate accommodation from the date of this order till final disposal of this case

(3) Copy of this order be given to both parties free of cost and to the concerned police station for action.”

3] Learned Sessions Judge has directed the petitioner to pay 50% of the monthly maintainance during the pendency of appeal. As such 50% temporary relief has been granted by the learned Sessions Judge. The ultimate decision will come in the appeal.

4] During the course of the hearing, the respondent has submitted that she was married to the petitioner 18 years ago. The petitioner's Advocate denies the relationship of the petitioner with the respondent. However, respondent has produced some photographs which the petitioner has not disputed. In my view,

there is no scope for interfering with the interim order passed by the Additional Sessions Judge. Petition is devoid of any merits and is dismissed accordingly.

(M.L.TAHALIYANI, J.)