

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1780 OF 2015

Sagar Shrikrishna Khatav	... Petitioner
Vs.	
Mrs. Suchita Sagar Khatav	... Respondent

Mr. Vijay V. Mane, Advocate for the petitioner.
Mr. R.S. Gamare, Advocate for the respondent.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JULY 16, 2015**

P.C.:

Rule. Rule made returnable forthwith. By consent, the matter is heard finally at the stage of admission.

2. This Petition is directed against the order dated 7th March, 2014 passed by the learned Judge of the Family Court, Bandra, Mumbai thereby directing the petitioner/husband to pay Rs.8,000/- p.m. towards interim maintenance to wife. It is submitted that the said order was passed ex-parte and the petitioner/husband did not get an opportunity to put up his submissions. It is argued by the learned counsel for the petitioner that the petitioner had changed his job and now he has joined Tata Consulting Engineers Ltd. The qualification of petitioner is M-Tech and MBA. His salary is reduced from Rs.43,000/- to Rs.32,000/-.

3. The learned counsel for the respondent opposed the Petition.
4. I have gone through the order passed by the learned Judge of the Family Court. When the order was passed, the petitioner was absent and he had not filed say and that was noted by the learned Judge of the Family Court. Considering the amount of maintenance awarded by the learned Judge of the Family Court, I am of the view that the order of the Family Court is not illegal or perverse. Hence, the Writ Petition is dismissed.
5. Whatever amount is deposited by the petitioner/husband in this Court is allowed to be withdrawn by the respondent/wife.

(MRS.MRIDULA BHATKAR, J.)