

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3987 OF 2015**

Rahool Deorao Moholkar	...Petitioner
Versus	
Shama Rahool Moholkar	...Respondent

Mr. Nitin P. Deshpande for the Petitioner

Mr. Abhijeet Sarwate for the Respondent

CORAM : REVATI MOHITE DERE, J.

FRIDAY, 24th APRIL, 2015

P.C. :

1. Heard learned for the petitioner and the respondent.

2. By this application, the petitioner husband has impugned the order dated 11th December, 2014 and 17th January, 2015 passed by the learned Judge, Family Court, Pune. The petitioner husband had agreed to reimburse to the respondent-wife a sum of Rs. 65,000/- towards the admission fees of their daughter. The said fact is recorded in the order dated 11th December, 2014. Vide order dated 17th January, 2015, the trial Court clarified that the petitioner husband agreeing to reimburse the said

sum of Rs. 65,000/- was as good as his undertaking and hence, directed the petitioner husband to reimburse the said sum of Rs. 65,000/- to the respondent-wife.

3. Counsel for the petitioner states that the petitioner is not in a position to pay such a hefty fee amount for the admission of the daughter. He submits that he was not consulted before taking admission by the respondent-wife.

4. Counsel for the respondent states that the petitioner has an income of Rs. 25 lakhs per year. He submits that the petitioner and the respondent were both heard by the learned Judge, Family Court, pursuant to which the order was passed, wherein the petitioner has agreed to reimburse the respondent the admission fees paid by her. The learned Judge has again clarified the said order dated 11th December, 2014 on 17th January, 2015 and has directed the petitioner to reimburse the respondent.

5. No interference whatsoever is warranted in the orders impugned. The petition is accordingly dismissed.

6. Learned Counsel for the petitioner, on instructions of the petitioner, who is present in Court, now undertakes to reimburse the respondent in three tranches within three months. The first two instalments of Rs. 20,000/- and last instalment of Rs. 25,000/-. The said undertaking is accepted. The first instalment to be paid on or before 1st May, 2015, second instalment to be paid on or before 1st June, 2015 and the last instalment on or before 1st July, 2015.

7. The above order is passed without prejudice to the rights and contentions of the parties. All rights and contentions of the parties are kept open.

8. Petition disposed of accordingly.

REVATI MOHITE DERE, J.