

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 193 OF 2015
IN
FAMILY COURT APPEAL NO. 16 OF 2011**

Smt Anita Sumangal Dhepe ... Applicant.

V/s.

Shri Sumangal Govind Dhepe ... Respondent.

Mrs. S. P. Munshi a/w. N.S. Deshpande i/by S.N. Deshpande,
Advocate for the Applicant.

None for the Respondent.

**CORAM : V. M. KANADE &
DR.SHALINI PHANSALKAR-JOSHI,JJ.**

DATE : 02nd SEPTEMBER, 2015

P.C. :

1 Heard the learned counsel appearing on behalf of the applicant. None appears on behalf of the respondent though he is served and Vakalatnama has been filed on his behalf by Advocate - Shri L.H. Patil. The grievance of the applicant is that maintenance is granted in favour of her son at the rate of Rs.1000/- per month in the year 2007. It is submitted that now her son is 8 years old and he is studying in 3rd standard and, therefore, the maintenance amount be increased from Rs.1000/- to Rs.7000/- per month. No reply is filed by the respondent, despite service of the application.

3 Taking into consideration the aforesaid facts we are of the view that a case is made out by the applicant for increase in maintenance in favour of her son. Hence, the application for increase of maintenance is allowed. The increase of maintenance of Rs.1000/- to Rs. 7000/- per month is granted from the date on which the application for maintenance is filed in March, 2015. Maintenance be paid from month to month and the arrears of maintenance from March, 2015 to 31st August, 2015 shall be paid in three months.

4 Though the maintenance is not being paid to the applicant-wife but since the petition for divorce was dismissed, the applicant is entitled to seek maintenance during the pendency of the appeal. Hence, a prayer for her maintenance at the rate of Rs. 5000/- is granted. Her maintenance at the rate of Rs.5000/- be paid from the date of this order.

5 Civil application is accordingly disposed of.

Sd/-
(DR.SHALINI PHANSALKAR-JOSHI,J.)

Sd/-
(V. M. KANADE,J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.