

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO. 13089 OF 2014

Sou. Anjali Virendra Bobade	..	Petitioner
VS.		
Virendra R. Bobade	..	Respondent

Mr. Sachin Gite for Petitioner.
None for Respondent.

CORAM : M. S. SONAK, J.
DATE: 05 JANUARY 2015

P.C. :-

1] The learned counsel for the petitioner admits that at the time when the application for maintenance was argued, the petitioner did not have a copy of her husband's salary slip. The petitioner has now obtained a copy of the salary slip. Rather than permit the petitioner to produce the salary slip in this petition and thereafter afford opportunity of rebuttal to the respondent, it would be appropriate if the petitioner is granted liberty to make a fresh application seeking maintenance by annexing therewith the salary slip and such other particulars as the petitioner may have obtained in the meanwhile.

2] In the event such an application is made, the same shall be considered by the Family Court, Nashik, on its own merits. It is

pertinent to note that the Family court, *inter alia* rejected the claim for maintenance on the ground that the petitioner had not been able to prove that the income of her husband was Rs.40,000/- per month as alleged by her.

3] Although liberty is being granted to the petitioner to make application seeking maintenance, the same shall be restricted to seeking maintenance for the petitioner alone. The impugned order, in so far as it declines maintenance to the son and daughter is not interfered with. This is because the children have attained majority and are gainfully employed.

4] The petitioner will also be at liberty to urge that amount of Rs.2,000/- awarded to her towards litigation expenses is on the lower side and that even the same needs to be enhanced.

5] With these observations, and with liberty as aforesaid, this petition is disposed of.

(M. S. SONAK, J.)