

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

WRIT PETITION NO.6169 OF 2014

Mrs. Shubhangi Deovrat Deshmukh Petitioner

Vs.

Mr. Deovrat Vinayak Deshmukh Respondent

Mr. B.G. Tangsali, Advocate for the Petitioner.

Ms. Pooja Bhojane, Advocate for the Respondent.

Coram : Smt. R.P. SondurBaldota, J.

Date : 31st March, 2015.

P.C.

1 This petition is directed against the order dtd. 4th October, 2013, by which the Family Court, Thane dismissed the petitioner's application for interim maintenance.

2 The respondent-husband has filed petition for divorce, in which the petitioner filed an application at Exhibit 16 seeking maintenance. She claimed that the the petitioner is into the business of taking contracts of 18 Aanganwadi and 2 Municipal schools for cooking food (khichadi) and is earning Rs.5,000/- per month from the business. In addition to this, he has some agricultural land and getting income from it. He has also given on rent some rooms and is earning

thereby. The respondent-husband denies that he earns Rs.5,000/- from the business of taking contracts of cooking food (Khichadi). He claims that he is working as “Khichadi Distributor” for Mumbreshwar Mahila Bachat Gat. He met with an accident and has fractured his hand. As such he is unable to do any work for the present. As regards giving rooms on rent and income from the agricultural land, the respondent has denied any earning therefrom. Admittedly, there are no particulars of either the income from the agricultural land or from the rooms given on rent.

3 The Family Court has noted that, the petitioner is already receiving maintenance @Rs.1,000/- per month, pursuant to the order passed under Section 125 Code of Criminal Procedure and she is also receiving travelling expenses ordered by the Family Court, for rejection of her application for maintenance. There is no infirmity whatsoever in the impugned order. The same is passed on the material brought on record by the petitioner. Hence, no interference with the order is called for. The petition is dismissed.

(Smt. R.P. SondurBaldota, J.)