

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

WRIT PETITION NO.6980 OF 2013

Sangeeta Santosh Shetty Petitioner

Vs.

Santosh Shetty Respondent

Mr. G.R. Mishra, Advocate for the Petitioner.
None for the Respondent.

Coram : Smt. R.P. SondurBaldota, J.
Date : 5th May, 2015.

P.C.

1 This petition is directed against the order dtd. 17th June, 2013, by which the Family Court dismissed the application of the petitioner for enhancement of the rent amount granted by the court to her by the order dtd. 26th November, 2012.

2 The Petitioner had filed an application for direction to the respondent to provide residential accommodation to her. The Family Court decided that application by directing the respondent to pay Rs.5,500/- towards rent to her till the disposal of the petition. The amount of rent was fixed considering the fact that the petitioner was

staying at Varsova, Andheri, Mumbai. At the relevant time, the rent paid by the petitioner was of Rs.4,000/- per month. Within a couple of months thereafter i.e. on 16th April, 2013, the petitioner filed the application at Exhibit 26 for enhancement of the amount to Rs.8,000/- contending that the accommodation acquired by her for her residence was at the rent of Rs.8,000/- per month. The Family Court dismissed the application with an observation that it is difficult to believe that the rent amount of Rs.4,000/- could have been increased within such a short duration to Rs.8,000/- per month. Admittedly, the petitioner had not produced any material before the Court to establish the rent generally payable in the area. In that circumstance, there can be no infirmity in the order passed by the Family Court. Hence, the petition is dismissed.

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