

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

CIVIL REVISION APPLICATION NO.1016 OF 2014

Mr. Tushar Baban Bansode
an adult, aged about 38 years
occupation xerox operator, Hindu
Indian Inhabitant, R/o. Building No.43,
Room No.1373, Tagore Nagar,
Vikhroli (East), Mumbai-400 083. .. Applicant.

V/s

Mrs. Vaishnavi Tushar Bansode
Nee Mangal Bhimrao Savne
An adult, aged about 32 years,
occ. Housewife, Hindu, Indian
Inhabitant R/o. C/o. Geeta Zende
Plot No.31, Sector No.18, Behind
Shiv Mandir, Nerul, Navi Mumbai .. Respondent.

Mr. Ditendra Mishra, for Applicant.
Ms. Susy Mathew, for Respondent.

Coram : Smt. R.P. SondurBaldota, J.
Date : 06th May, 2015

P.C.

1. The applicant in the present Civil Revision
Application challenges the order dated 24th June, 2014 passed

by the Family Court, directing the applicant to pay the maintenance @ Rs.10,000/- per month to the respondent and Rs.5,000/- per month from the date of the application i.e. 28th January, 2013 to enable her to avail the rental accommodation. The applicant challenges the order on the ground that the same is excessive. On 10th March, 2015, when this Court was found that the applicant is in arrears of Rs.4,00,000/- approximately as on February, 2015, a statement was made by the applicant-petitioner through his advocate that he will pay 50% arrears of maintenance charges within a period of two weeks from that day. That statement of the petitioner was recorded.

2. Undisputedly, the applicant-petitioner has not paid 50% arrears of maintenance charges to the respondent within a period of two weeks as undertaken to this Court. Mr. Mishra, the learned advocate for applicant-petitioner claims that the applicant has deposited that amount in the Family Court on four different dates. The direction to the applicant being to make

direct payment to the respondent, the deposit in the Family Court, cannot be said to be compliance of the order of this Court. Ms. Mathew the learned advocate for the respondent submits that whenever the respondent made enquiries with the applicant about the payment pursuant to the order dated 10th March, 2015, the applicant deliberately did not disclose to her that he had deposited the arrears of maintenance amount in the Family Court.

3. The conduct of the applicant is clearly with intent to harass the respondent. He has not only not complied with the order of maintenance passed by the Family Court and remained in arrears to the extent of Rs.4,00,000/- approximately, but also not complied with the specific order passed by this Court for payment of amount directly to the respondent. This conduct of the applicant must be deprecated. This will in fact disentitle the applicant from a hearing. In any case, the order challenged in this Civil Revision Application being only the interim order of

maintenance, this Court should be slow in interfering with the same. Hence, the Civil Revision Application is dismissed.

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