

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL No. 205 OF 2014

Mahendra B. Nirbhuvane. ..Appellant.

Versus

Mugdha M. Nirbhuvane. ..Respondent.

Mr. Amogh Karandikar i/b Khandeparkar & Associates for the Appellant.

Mr. Anilkumar Patil for the Respondent.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **July 17, 2015.**

P. C. :

1. Heard learned Counsel appearing for the respective parties. By this appeal, exception is taken to the order dated 7th May 2014 made by the Family Court, Bandra, Mumbai in Civil M.A.No.197 of 2013, whereunder maintenance granted to daughter of the parties has been increased from Rs.2,000/- per month to Rs.8,500/- per month, effective from 1st August 2013. The order further provides that effective from 1st May 2014, the Appellant shall pay maintenance to the daughter – Mahati @ Rs.10,000/- per month. Besides this, the order provides that every year on 1st January, there shall be 15% increase in the

maintenance amount of the daughter to be paid by the Appellant.

2. Both the parties, the Appellant and the Respondent are doctors by profession. The Appellant is working as Medical Officer in BMC hospital, earning the salary of Rs.90,000/- per month. The Respondent is private practitioner. Her qualification is BAMS and post graduation in Ayurveda.

3. We find that the Family Court has taken into consideration the income and capacity of both the parties as well as the requirements of daughter – Mahati and thereafter granted enhancement in the maintenance amount to be paid to daughter. In our view, considering the rate of escalation in the cost of living, the learned Judge, Family Court has rightly enhanced the maintenance for daughter. No fault can be found in the impugned order. The appeal is devoid of merit. Consequently, the same is dismissed.

4. In view of the disposal of main appeal, application, if any, taken out in this appeal, does not survive and the same is accordingly disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]