

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

CIVIL APPLICATION NO. 398 OF 2014
IN
FAMILY COURT APPEAL NO. 7 OF 2013

Mrs. Pankti Fanil Visharia ..Applicant / Org. Respondent
v/s.

Fanil Visharia. ..Respondent/ Org. Appellant

Ms. V.R.Raje for the Applicant/Appellant.
Mr.R.T.Lalwani i/b. Prakash Mahadik, for the Respondent.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : JUNE 26, 2015.**

P.C.

1. The application is preferred by the respondent wife for interim maintenance during the pendency of the above appeal.
2. The M.J. Petition No. A-1761 of 2009 filed by the respondent-original appellant for divorce is dismissed by the Family court, Mumbai. The above appeal is preferred challenging the said judgment and decree.

3. During pendency of the said petition, the applicant wife preferred Interim Application No.263 of 2009 for maintenance. This application was allowed by the learned Judge of the Family Court by order dated 2nd July, 2010 and the respondent original appellant was directed to pay to the applicant-wife an amount of Rs.15000/- per month.

4. Since the Family Court Appeal is in continuation of the petition, we are inclined to grant interim maintenance to the applicant wife. Taking into consideration the income of the parties, their status, cost of leaving and the needs of the parties, we are of the opinion that amount of Rs.20,000/- per month would be the just and reasonable amount towards grant of interim maintenance during pendency of final hearing of this appeal.

5. The respondent husband is directed to pay to the applicant-wife an amount of Rs.20000/- per month from the date of the present application i.e. 8.10.2014 by way of interim maintenance. The applicant wife shall give the particulars of her bank account to the respondent husband and the respondent husband shall deposit the maintenance amount in the said account.

6. The arrears of the maintenance shall be paid by the husband within the period of four weeks and shall go on paying the maintenance before 10th day of every month.
7. The amount of Rs.1,00,000/- deposited by the respondent-husband in this court, shall be adjusted towards arrears of the maintenance. The applicant-wife is permitted to withdraw the said amount upon making appropriate application.
8. Application is accordingly disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)