

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 2871 OF 2015
IN
WRIT PETITION NO. 7057 OF 2014

Siddharth Prdeep Yadav. ..Applicant/Petitioner.

Versus

Prajakta Siddharth Yadav
and Another. ..Respondents.

Ms. Vijaya Sadashiv Jagdale for the Applicant.

None for Respondent No. 1.

Mr. P. G. Sawant, learned AGP for Respondent No.2.

Coram : RANJIT MORE, J.

Date : **November 18, 2015.**

P. C. :

1. Heard. The present civil application is filed for recall of the order dated 21st August 2014 passed by me in above writ petition. By the said order, writ petition is dismissed.

2. By the order impugned in the writ petition, the Family Court has directed the Applicant-Husband to pay an amount of Rs. 10,000/- per month to the Respondent-wife as and by way of interim alimony. That amount has been arrived at by the Family Court on the basis that the Applicant's income per month is Rs.60,000/-.

3. Today, the learned Counsel appearing for the Applicant submitted that the Respondent-wife is employed with Factual Analytical Limited and earning an Rs.35,000/- per month. She submitted that this fact is discovered by the Applicant subsequent to the passing of the above order and therefore the same could not be brought either before the trial Court or this Court.

4. I do not see any reason to recall the order on the basis of new discovery. Hence, application for recall is dismissed. However, the Applicant is at liberty to apply to the family Court for modification of the order impugned in the writ petition. Needless to state that such an application will have to be decided after hearing both sides.

[RANJIT MORE, J.]