

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12192 OF 2015

Shrikant Surajdev Tiwari .. Petitioner
vs.
Chandravati Shrikant Tiwari .. Respondent

Mr. Pandit Kasar for the Petitioner.

CORAM : M. S. SONAK, J.
DATE : 7 DECEMBER 2015.

P.C. :-

1] Not on board. Upon production, taken on board.

2] The challenge in this petition is to the interim order dated 23 April 2015 made by the 5th Joint Civil Judge, Senior Division, Pune.

3] There is material on record that the Petitioner was serving in the Merchant Navy. The learned counsel for the Petitioner also admits that the Petitioner is drawing pension of Rs.20,000/- per month. The circumstance that the Respondent is living with her son and the son is earning substantial amount, does not relieve the Petitioner of the obligations to pay the maintenance. In any case, all contentions of the Petitioner will be determined by the Civil Court at the stage of determination of maintenance finally. At this stage, it

cannot be said that the exercise of discretion is either perverse or without jurisdiction.

4] Accordingly, no case is made out to entertain this petition. This petition is dismissed.

5] Notwithstanding the dismissal of this petition, the learned Trial Court is directed to dispose of the main petition, i.e., M.P. 31 of 2014 as expeditiously as possible and in any case within a period of six months from today. Further, at the stage of final disposal, the Trial Court need not to be influenced by the observations made in the impugned order or the circumstance that this petition against the same has not been entertained.

(M. S. SONAK, J.)

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