

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL REVISION NO.83/2014

Dnyaneshwar Jagannathji Sakarkar ..vs.. Mrs. Dipali w/o Dnyaneshwar Sakarkar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. R. D. Bhuibhar, Advocate for applicant.

CORAM : A.B. CHAUDHARI, J.

DATE : JULY 14, 2015.

Heard learned counsel for the parties.
What is under challenge is an order fixing the net
award of Rs.7000/- per month to non applicant-wife
by Family Court.

Upon hearing learned counsel for the rival
parties, it appears to be an admitted position that the
son of the applicant, aged about 13 years, is staying
with the applicant and is the only son born out of the
wedlock.

Learned counsel for the non applicant
vehemently opposed the application on the ground
that the applicant is running a medical shop and the
said shop is located in an area where hospitals are
located and, therefore, the applicant-husband is
earning handsome profit. He also submitted that non
applicant -wife is living with her parents in Akola.

Having considered the submissions made
by the learned counsel for the rival parties and upon
perusal of the impugned order, I think, looking to the

fact that the son, aged about 13 years, is residing with the applicant and looking to his needs, school expenses etc. there is need to reduce Rs.1,000/- only from the award of Rs.7,000/- in order that the amount of Rs.1,000/- goes for the welfare of the child.

In view of above, following order is passed.

ORDER

(i) Criminal Revision No. 83/2014 is disposed of.

(ii) Impugned order dated 08.04.2014 passed by Family Court, Akola in Petition E-18/2013, making award to the extent of Rs.7,000/- per month payable regularly by applicant-husband to non applicant-wife is modified. Instead, applicant-husband shall pay Rs.6,000/- per month to non applicant-wife.

(iii) Two consecutive defaults in the payment shall entail into payment of maintenance at the rate of Rs.7,000/- per month.

JUDGE