

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 117 OF 2016

1. Bhausahab Ashruba Palwe,
Age: 32 years, Occu: Labour work,
2. Ashruba Punjaba Palwe,
Age: 66 years, Occu: Nil
3. Subabai w/o Ashruba Palwe,
Age: 61 years, Occu: Household,

All R/o. Palwewadi, Tq. Pathardi,
Dist. Ahmednagar

..PETITIONERS

VERSUS

1. Ranjana Bhausahab Palwe,
Age: 27 years, Occu: Tailoring work
& Household, R/o. At present
Jatwad, Post Manur,
Tq. Shirur-Kasar, Dist. Beed

2. The State of Maharashtra

..RESPONDENTS

Mr N. C. Garud, Advocate for petitioners;
Mr V. K. Tungar, Advocate for respondent No. 1;
Ms R. P. Gaur, Addl. Public Prosecutor for respondent No. 2

CORAM : N.W. SAMBRE, J.

DATE : 12th April, 2016

ORAL ORDER :

The learned Judicial Magistrate First Class, Shirur Kasar, Dist Beed, while awarding maintenance, has considered the source of income of the present petitioners as holdings of 15 Acres of the agricultural land and the other source of income.

(2)

2. There is no dispute between the parties that the holdings of agricultural land of the petitioners is around 5 Acres.

3. In the above background, the amount of maintenance of Rs. 4,500/- p.m. awarded by the learned Judicial Magistrate First Class, Shrirur Kasar to respondent No. 1 herein, is reduced to Rs. 3,500/- p.m. from the date of order i.e. from 17th December, 2014.

4. With above observations, Writ Petition stands partly allowed.

5. Respondent No. 1 herein is permitted to withdraw Rs. 30,000/- (Rs. Thirty Thousand).

(N.W. SAMBRE, J.)

sjk