

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

CRIMINAL APPLICATION NO. 1493 OF 2016

Sanjay s/o Dattatraya Gadekar,
Age: 28 years, Occ: Service,
R/o. N-6, E-1/12, Mathuranagar,
CIDCO N-2, Aurangabad.

...Applicant

versus

Sujata w/o Sanjay Gadekar,
Age: 27 years, Occ: Household,
R/o. C/o. Baburao s/o Anjaba Borse,
MIG-207, Shradha Colony,
(MHADA) N-2, CIDCO, Aurangabad.

...Respondent

.....
Mrs. Savita P. Kakade, Advocate for applicant
.....

CORAM : N.W. SAMBRE, J.

DATE : 30th MARCH, 2016

ORAL ORDER :

The Family Court, while dealing with the issue of maintenance brought before it in Petition No. E-101/2015, has granted maintenance of Rs.7000/- per month to the respondent-wife. The order of grant of maintenance passed by the Family Court on 15/02/2016 is impugned herein.

2. Mrs. Kakade, learned Counsel for the applicant would urge that the maintenance as is ordered is unreasonable, as the liability of the applicant-husband to maintain his parents, educational

qualification of the respondent-wife and her source of earning is not taken into account. She would, as such, urge that the Court should interfere and set aside the order of grant of maintenance.

3. With the assistance of learned Counsel, I have perused the findings recorded by the Family Court. The pay slip, which is taken into account of the petitioner, depicts the gross salary of Rs.45,874/- for the month of November, 2015 and net salary is Rs.40,740/-, out of which the deduction towards certain loan is Rs.9731/-.

4. The respondent-wife is shown to have been serving and is getting net salary of Rs.6000/- per month.

5. In this background, the order of the Family Court granting maintenance of Rs.7000/- per month, in my opinion, cannot be termed as unreasonable or unrealistic.

6. As such, no case for interference is made out. The criminal application, as such fails and stands dismissed.

[N.W. SAMBRE, J.]

Tupe/30.03.16