

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2718 OF 2015

IN

MARRIAGE PETITION NO. 446 OF 2013

Dhiraj Balasaheb Dhamane

.....Petitioner

V/s.

Revati Dhiraj Dhamane

.....Respondent

* * * * *

Mr. Vishal L. Kolekar, Advocate for the petitioner.

Ms. R. Umamaheshwari, Advocate for the respondent.

CORAM :- SMT. R.P. SONDURBALDOTA, J.

DATED :- 8TH AUGUST, 2016.

P.C. :-

1). This petition challenges the order dated 7th January, 2015 by which the petitioner is directed to pay Rs.7,000/- per month to the respondent, wife and Rs.7,000/- per month for the daughter as interim maintenance. The challenge to the order of maintenance is on two grounds, firstly that the respondent being a highly qualified lady cannot claim maintenance and secondly that considering the petitioner's own several expenses, the amount of Rs.14,000/- per month towards interim maintenance of the respondent and the

child is excessive.

2). According to the petitioner, the respondent is M.Com. i.e. post-graduate in Commerce and has done the course of MSCIT for computer operating. This can hardly be said to be such high qualification as would dis-entitle the respondent to maintenance. Therefore, there is no substance in the first ground of challenge. As regards the quantum of maintenance the petitioner alleges that with his monthly earnings of Rs.40,000/-, the quantum awarded is high. The respondent disputes the claim of monthly income of the petitioner. According to her, the monthly income is of Rs.1,50,000/-. She has, however, not challenged the order on the ground of insufficiency of maintenance. Considering the admitted income of Rs.40,000/- per month of the petitioner, the maintenance awarded by the impugned order, is infact on the lower side. Therefore, there is no merit in the petition. The petition is accordingly dismissed.

(SMT. R.P. SONDURBALDOTA, J)