

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

FAMILY COURT APPEAL NO.56/2015

Jaishri w/o Rajendra Dhomne
...Versus...
Rajendra s/o Wamanrao Dhomne

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

Court's or Judge's orders

Mrs. S.W. Deshpande, Advocate for appellant
Shri Prashant Gode, Advocate for respondent

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATE : 07.04.2016

Heard.

ADMIT.

Hearing of the family court appeal is expedited.

Learned Counsel Shri Gode waives notice of hearing
on behalf of the respondent.

CIVIL APPLICATION O. NO.283/2016

Heard.

By this application, the applicant - wife seeks
maintenance *pendente lite* @ Rs,5,000/- per month for herself and
Rs.5,000/- per month for her daughter Neha.

According to the applicant, she is unable to maintain
herself from the meagre amount of Rs.1,500/- per month that is
awarded to her towards maintenance and her daughter Neha is

also not able to sustain the expenses for her education from the meagre amount of Rs.2,000/- that is granted towards monthly maintenance for Neha.

The respondent has filed an affidavit-in-reply. It is stated in the affidavit-in-reply that apart from the amount of Rs.1,500/- that is paid to the applicant and the amount of Rs.2,000/- that is paid to daughter Neha, the non-applicant is regularly paying the College fees of Neha. It is stated that certain amount is paid in the College by demand draft drawn on the Bank of India. It is further stated that the non-applicant is ready to bear the expenses of the marriage of his daughter Neha. It is stated that the non-applicant is working as a Grinder Operator in the private company and receives a meagre salary of Rs.7,270/-. It is stated that in the circumstances of the case, the application is liable to be rejected.

We find on hearing the learned Counsel for the parties that the non-applicant is rightly directed to pay a sum of Rs.1,500/- for the applicant-wife and Rs.2,000/- for her daughter Neha. The statement made on behalf of the non-applicant – husband that he is paying the fees of Neha is believable. Also, it appears from the salary slip tendered by the learned Counsel for the non-applicant in the Court today that the non-applicant is receiving a meagre salary of Rs.7,270/- per month.

In the circumstances of the case, the civil application is rejected.

JUDGE

JUDGE