

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

WRIT PETITION NO.7160 OF 2015 WITH
CIVIL APPLICATION NO.16478 OF 2015

Sunil s/o Nivratti Nikhate
Age 32 years, Occ. Nil,
R/o Ashirwad Nagar, Nanded ... PETITIONER

VERSUS

Priya w/o Sunil Nikhate
Age 26 years, Occu. Household,
R/o Sumedh Nagar, Taroda (Kd.)
Behind Shiv Parvati Mangal
Karyalaya, Nanded. ... RESPONDENT

.....
Mrs. Maya R. Jamdhade, Advocate for petitioner
Mrs. Ranjana Reddy, Advocate for respondent
.....

CORAM: S. B. SHUKRE, J.

DATED: 16th March, 2017.

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith and heard finally by consent of learned counsel for the parties.

2. On going through the impugned order dated 17/12/2014, which takes a prima facie view, on the basis of

the material available on record that the petitioner has a sound financial background and his monthly income is about Rs.30,000/-, I find that, the view so taken by the learned Principal Judge of the Family Court cannot be upset by this Court merely because another view is possible. In exercise of extraordinary jurisdiction of this Court, substituting the view of the lower Court, just because another view is possible, is not permissible. The view taken by the trial Court is not so illogical or perverse. Therefore, I see no reason to interfere. The Writ Petition is dismissed with costs. Rule is discharged.

3. In view of disposal of the Writ Petition, Civil Application stands disposed of.

(S. B. SHUKRE)
JUDGE

fmp/wp7160.15