

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5655 OF 2016

BHANUDAS VITTHAL MAHALE
VERSUS
MADHURI BHANUDAS MAHALE

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Advocate for Petitioner : Shri Dhage Vivek J.
Advocate for Respondent : Shri Rane Girish S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: June 06, 2017

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PER COURT :-

1. The petitioner is aggrieved by the order dated 20.1.2016 passed by the trial Court, thereby allowing Exhibit 5 filed by the respondent in HMP No. 116 of 2015. Consequentially, the respondent is granted Rs.5,000/- as maintenance and Rs. 3,000/- for maintaining the child.
2. I have considered the strenuous submissions of the learned Advocate for the petitioner and Shri Rane, learned Advocate for the respondent.
3. *Ex-facie* it appears that the petitioner, at present draws a salary of about Rs.49,000/- per month. Deductions towards P.F., Income Tax and Car Loan are about Rs.19,000/-. HMP No.116 of 2015 is pending before the trial Court.

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2 - WRIT PETITION NO. 5655 OF 2016

4. Considering the above, *prima facie*, I do not find that an exorbitant amount has been granted by the trial Court as maintenance to the wife and the young child of about 10 months. As such, this petition is dismissed.

5. Nevertheless, the litigating sides would be at liberty to make an application to the trial Court for seeking an early hearing in the pending HMP No.117 of 2015.

(RAVINDRA V. GHUGE, J.)

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