

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 109 OF 2017

MR. SAMIRO VAZ PEREIRA., ... Petitioner

Versus

MRS. BERNANDINA ANTAO AND ANR., ... Respondents

Mr. Carlos Alvares Ferreira, Advocate for the Petitioner.

Mr. Vibhav Rajiv Amonkar, Advocate under the Legal Aid Scheme for the Respondent No. 1.

Coram:- C. V. BHADANG, J.

Date:- 16th August 2017

P.C:

The challenge in this petition is to the grant of interim maintenance to the respondent no. 1 at the rate of Rs.5,000/- per month, in a proceeding under Protection of Women from Domestic Violence Act, 2005. The main proceedings are still pending before the learned Magistrate. The learned Magistrate by an order dated 16.05.2015, has granted interim maintenance of Rs.5,000/- per month. The learned Sessions Judge has concurred with the same.

2. A perusal of para 16 of the order passed by the learned Magistrate would show that the learned Magistrate has come to the conclusion that there were acts of domestic violence committed. The learned Magistrate has also come to the

conclusion that the average income of the petitioner is about Rs.15,000/- to Rs.20,000/- per month. The amount of maintenance granted cannot be said to be exorbitant by any standards and is reasonable.

3. A perusal of the order passed by the learned Magistrate and the judgment of the learned Sessions Judge does not show any infirmity, so as to require interference. The petition is accordingly dismissed.

C. V. BHADANG, J.

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