

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.295 OF 2017
IN
FAMILY COURT APPEAL NO.46 OF 2016**

Mrs. Varsha Anil Vartekar : Applicant/Appellant.

Versus

Anil Tukaram Vartekar : Respondent.

Mr. Mahesh Pol for the Applicant/Appellant.

Mr. P D Purway for the Respondent.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE, JJ.**

DATE : 19th December 2017

P.C.

1 The above Civil Application has been filed seeking enhancement of the maintenance which has been granted by the learned Judge of the Family Court. The enhancement sought is the payment of maintenance in the sum of Rs.10,000/- each to the Applicant/Appellant and the minor son Parth. The Family Court has granted maintenance of Rs.1200/- per month each for the Applicant/Appellant and the son Parth. The Applicant/Appellant also seeks payment of arrears which according to the Applicant/Appellant as on date is in the sum of Rs.55,000/-.

2 As indicated above the Family Court has granted maintenance in the sum of Rs.1200/- per month each to the Applicant/Appellant and the son Parth. The total maintenance granted is therefore in the sum of Rs.2400/-.

3 The learned counsel appearing on behalf of the Respondent/husband Shri Purway states that the Respondent would continue paying the maintenance at the said rate pending the hearing and final disposal of the above Family Court Appeal. The learned counsel for the Respondent, on instructions, further states that the Respondent would clear the arrears within 8 weeks from date. Statements accepted. The arrears would undoubtedly be subject to accounting that would take place in the event the same is required at the final hearing of the above Family Court Appeal.

4 Needless to state that the case of the Applicant/Appellant for enhancement of the maintenance on the basis of the additional evidence is kept open for being urged at the final hearing of the above Family Court Appeal. Needless to state that if any additional expenditure is being incurred on account of the education of the son Parth and there is any increase relating thereto, the Applicant/Appellant would be entitled to file a fresh Application for the same. The above Civil Application to accordingly stand disposed of.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]