

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2733 OF 2015**

Pramod Bhagwan More

..Petitioner

Vs.

Sou Villina Pramod More

..Respondent

Mr. P. G. Sarda for the Petitioner

Mr. A. B. Tajane for the Respondent

CORAM : R. M. SAVANT, J.

DATE : 21st MARCH, 2017

P.C.

1 The order dated 2-1-2015 passed by the Learned Principal Judge, Family Court, Solapur, is taken exception to by way of the above Petition. By the said order, the application Exhibit 17 filed by the Respondent-wife for interim maintenance under Section 24 of the Hindu Marriage Act, came to be partly allowed and the maintenance in the sum mentioned in clause (2) of the operative part of the impugned order came to be granted to the Respondent-wife and the minor daughter. The said maintenance is in the sum of Rs.3000/- for the Respondent-wife and in the sum of Rs.2000/- for the minor daughter.

2 It seems that before the Trial Court though various assertions were made on behalf of the Respondent and the Petitioner herein as regards his income, both the parties did not produce any material to buttress their respective assertions. This resulted in the Learned Judge observing that the

maintenance would have to be fixed on the basis of assumptions or as the Learned Judge called it “guess work”. The Learned Judge has accordingly fixed the interim maintenance of Rs.3000/- for the wife and Rs.2000/- for the minor daughter. The Petitioner is a graduate in Engineering i.e. B.E. and according to the Learned Counsel appearing for the Respondent-wife is also an M.Tech. He was for sometime working as Assistant Professor and thereafter was employed as a relationship manager with Horizon Data System Pvt Ltd. Though it was the case of the Respondent-wife that the Petitioner's family owns large tracts of land, the Respondent had failed to produce the 7/12 extracts which resulted in the Learned Principal Judge of the Family Court making the observation that the maintenance has to be fixed on the basis of the “guess work”.

3 In my view, having regard to the fact that the interim maintenance has been granted in the sum of Rs.3000/- to the Respondent-wife and Rs.2000/- to the minor daughter, the said amount cannot be said to be excessive or exorbitant for this court to interfere in its Writ Jurisdiction. The Writ Petition is accordingly dismissed. It is expected that the Petitioner would clear the arrears of interim maintenance expeditiously and within six weeks from date.

[R.M.SAVANT, J]