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

**WRIT PETITION NO.5139 OF 2017.**

|                   |     |             |
|-------------------|-----|-------------|
| Amit Thakur       | ... | Petitioner. |
| V/s.              |     |             |
| Mrs. Neetu Thakur | ... | Respondent. |

Mr. Satish M. Monde, for the petitioner.

**CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.**

**DATED : 5th OCTOBER, 2017.**

**P.C.**

1] Heard learned counsel for the petitioner. According to him, the impugned order passed by the Civil Judge senior Division, Kalyan, on 9.12.2016, in HMP No.1034 of 2015, awarding interim maintenance at the rate of Rs.3500/- per month to the wife and Rs.2500/- per month each to the two daughters, needs interference having regard to the income of the petitioner.

2] It is submitted that so far as the daughters are concerned, the petitioner is ready to pay amount of maintenance at the rate of Rs.2500/- per month each, as awarded by the trial Court.

However, so far as interim maintenance awarded to the respondent wife, at the rate of Rs.3500/- per month needs to be reduced having regard to the present income of the petitioner from the salary.

3] The offer letter issued by Shree Samarth Gears dated 25<sup>th</sup> November, 2016 is produced on record; according to which petitioner has been selected in the position of Business Development Manager w.e.f. 1<sup>st</sup> December, 2016. Alongwith letter, there is Annexure-1 which is giving compensation structure and it reveals that the petitioner is given compensation of Rs.11,500/- per month which comes to Rs.1,38,000/- per annum as compensation. The pay slip for December, 2016 is produced on record to that effect.

4] In the light of above, it is submitted that interim maintenance awarded to the respondent wife may be reduced to Rs.2,000/- per month which he is ready and willing to pay.

5] Considering the income of the petitioner which is about Rs.11,500/- per month and having regard to the amount of maintenance which he is required to pay as per the impugned order of the trial Court which comes to Rs.8,000/- per month, the interim

maintenance of respondent wife is accordingly reduced to Rs.2,000/- per month. To this limited extent, only interference is warranted in the impugned.

6] As a result the petition is allowed. The impugned order of trial Court awarding interim maintenance to the two daughters at the rate of Rs.2,500/- per month is confirmed. However, the interim maintenance awarded to the respondent wife is reduced from Rs.3,500/- per month to Rs.2,000/- per month, during the pendency of the petition.

7] Petition is disposed in above terms.

**(DR. SHALINI PHANSALKAR-JOSHI, J.)**