

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.129 OF 2015
IN
FAMILY COURT APPEAL NO.67 OF 2015

Sapna Nilesh Pate		Applicant
<i>Versus</i>		
Nilesh Ramdas Pate		Respondent

Mr. K.H. Surve, i/by Mr. Amol Gatne, for the Applicant.

Mr. Hitesh P. Vyas for the Respondent.

CORAM : SMT. V.K. TAHILRAMANI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 23RD AUGUST, 2017.

P.C. :

1. Heard learned counsel for both sides.

2. This application has been preferred by the Applicant seeking interim alimony @ Rs.80,000/- per month. The record shows as well as it is admitted fact that the Respondent is earning about Rs.16,00,000/- per year.

3. On the other hand, there is no material to show that the

Applicant is having any source of income. Though it was stated by the Respondent that the Applicant was working as a 'Lecturer' in a college and earning Rs.30,000/- per month, there is no documentary evidence to support this contention. The name of the College, where the Applicant is supposed to be working, is also not stated. Hence, it becomes clear that the Applicant is not having any source of income. Hence, the Applicant is entitled for interim maintenance; however, we are not inclined to grant interim maintenance @ Rs.80,000/- per month, as prayed by the Applicant.

4. Instead thereof, the interim maintenance @ Rs.10,000/- per month, which was granted by the Family Court, Pune, during pendency of the proceedings before it, is continued during pendency of the Appeal. The said amount to be paid by 30th of every month from August 2017.

5. Learned counsel for the Applicant states that he will provide Bank details of the Applicant to the learned counsel for the Respondent and learned counsel for the Respondent states that the maintenance amount of Rs.10,000/- will be deposited by the

Respondent in the Bank Account of the Applicant by 30th of every month.

6. Application is allowed in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[SMT. V.K. TAHILRAMANI, J.]