

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO.305 OF 2014****IN****FAMILY COURT APPEAL NO.176 OF 2013**

Mrs. Geetanjali Raghunath Patro ...Applicant

In the matter between

Mrs. Geetanjali Raghunath Patro & ...Appellants
Os. (Orig. Petitioners)

Versus

Mr. Raghunath Ratnakar Patro ...Respondent

...

Ms Rohini Madhav Dandekar for the Applicant.

**CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 6th JANUARY, 2017.

P. C. :

Heard the learned counsel appearing for the Applicant.
Perused the order dated 13th October, 2016. By the said order, the
defence of the Respondent-husband has been ordered to be struck out
both in the Appeal as well as in the pending Civil Applications.

2. The Applicant alongwith her two sons has challenged the
impugned judgment and order by which the Respondent-husband has
been directed to pay maintenance of Rs.3,000/- p.m. to the first
Applicant and Rs.1,500/- p.m. to the second and third Applicants. The

appeal has been admitted for final hearing. In paragraph No.2 of the Application, the first Applicant has pointed out that the second and third Applicants are taking higher education. In fact, the second Applicant is a student of a degree course of Engineering. The averments made in the Application as regards income of the Respondent and especially the averments in the paragraph No.6 have gone unchallenged.

3. Accordingly, we are of the view that the prayer for maintenance @ Rs.10,000/- p.m. to the first Applicant and Rs.10,000/- p.m. to the second and third Applicants each is reasonable, which deserves to be accepted. As we are directing the Respondent -husband to pay total amount of Rs.30,000/- p.m., we are not considering the prayers (iii) and (iv) of this Application. We pass following order:-

ORDER

(a) The application is allowed in terms of prayer clause (i), which reads thus :-

(i) Pending the hearing and final disposal of the Family Court Appeal, this Hon'ble Court may be pleased to direct the Respondent/ husband to pay a sum of Rs.10,000/- p.m. to the Applicant/wife and

Rs.10,000/- p.m. each to the sons;

(b) The Maintenance shall be payable to the Applicants in terms of this order from 1st November, 2013. The maintenance as directed to be paid by the Respondent-husband to the Applicants shall be deposited in this Court on or before the 10th day of every calendar month from February-2017 onwards;

(c) We grant time till 30th April, 2017 to the Respondent-husband to pay arrears from 1st November, 2013 to 31st January, 2017;

(d) We direct the Registry to forward an authenticated copy of this order to the Respondent -husband.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)