

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 356 OF 2015
IN
FAMILY COURT APPEAL NO. 8 OF 2013**

Smita L. Joshi

..Applicant

Vs

Laxman @ Devendra Vinayak Joshi

..Respondent

Ms Lalita Panchakshari for the Petitioner.

Mr. A.P. Kulkarni for the Respondent.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JULY 21, 2017.

P.C. :

. Heard learned counsel for the parties on Civil Application No.356 of 2015.

2] Through this application, the applicant-wife is seeking maintenance pendent lite amount of Rs.5000/- per month for herself and Rs.2000/- per month for her minor son aged 14 years.

3] During pendency of the proceedings before the trial Court, the applicant-wife was getting Rs.1000/- per month towards maintenance. That was granted to her on 10th June 2009 w.e.f. 2007.

It has been stated that towards the amount of maintenance during pendency of the proceeding before the trial Court, the balance amount still unpaid by the respondent-husband is Rs.14,500/-. It has been stated by the applicant-wife that she is unable to maintain herself and her minor child and therefore, the amount as aforesaid has been claimed.

4] The respondent has filed reply. It has been stated that the applicant-wife is earning Rs.25,000/- to Rs.30,000/- from Tuition Classes regarding Vocal singing and earning handsomely. She also goes for performing '*Kirtans*' as Vocal Artist. Strangely the respondent-husband has not stated about his own income. Except saying that he is an Astrologer and '*Bikhsuk*' and doing the work of '*Pandit*'. No details about his income has been given.

5] Having considered the submissions made by learned counsel for the parties and having gone through the application and its reply and also keeping in view that in the year 2009, the applicant-wife was awarded Rs.1000/- per month towards maintenance by the trial Court payable with effect from 2007, we are inclined to direct the

respondent-husband to pay Rs.3000/- per month for maintenance of the applicant-wife and Rs.1000/- per month to the child aged 14 years. In all Rs.4000/- to be payable by the respondent-husband from the date of application, i.e., October 2015. The arrears to be paid within three months and the monthly amount to be paid on or before 5th day of each month.

6] Civil Application No. 356 of 2015 stands disposed of.

7] It will be open for the respondent-husband to apply for access to the child.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)