

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

WRIT PETITION NO.13493 OF 2016

Virendra Radhakrushna Bobde : Petitioner.
versus
Sau. Anjali Virendra Bobde : Respondent.

Mr. Amey Deshpande for the Petitioner.
Mr. Sachin Gite for the Respondent.

CORAM : R. M. SAVANT, J.
DATE : 18th January 2017

P.C.

1 The writ jurisdiction of this Court is invoked against the order dated 05/08/2016 passed by the learned Judge of the Family Court, Nashik by which order the Petitioner herein, who is the Judgment Debtor in the proceedings before the Executing Court, was directed to deposit an amount of Rs.1,12,000/- which is due from him towards the payment of permanent alimony under the decree passed by the Family Court dated 14/11/2008. In the impugned order the learned Judge has reproduced the calculations on the basis of which the said figure of Rs.1,12,000/- has been arrived at. The learned counsel for the Petitioner disputed the said calculations on the premise that when the warrant was issued in the year 2011 in the execution proceedings the amount mentioned therein was Rs.58,000/- till the said date and therefore it is his contention that by the impugned order the learned Judge of the Family Court cannot direct him to pay more than what was due from

him. The said contention is misconceived having regard to the fact that the calculation is for the period from 14/11/2008 till 13/08/2016 and the learned Judge has taken into consideration the amount already paid by the Petitioner i.e. Rs.2,56,000/- this amount would include the amount paid by the Petitioner pursuant to the warrant issued against him. Hence prima facie there is no error in the calculation as appearing in the impugned order. No case for interference is therefore made out. The above Writ Petition is accordingly dismissed. It is expected that the Petitioner would clear the arrears within a period of six weeks from date.

[R.M.SAVANT, J]