

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4669 OF 2015

Tayyab Kasammiya Waruse & Ors. Petitioners

Versus

Sou. Najama Tayyab Waruse & Ors. Respondents

Mr. Dilip B. Shinde for Petitioners.

Ms. Farhana Shah for Respondent Nos.1 & 2.

Mr. S.R.Agarkar, APP for Respondent No.3/State.

CORAM : RAVINDRA V. GHUGE, J.
DATE : MARCH 20, 2017.

P.C.

1. The Petitioners are aggrieved by the order of interim maintenance dated 11/3/2015 and the judgment and order of the Appeal Court dated 14/9/2015, by which their Appeal No. 69 of 2015 has been dismissed.

2. I have considered the strenuous submissions of the learned Advocates for the Petitioners and the original applicant.

3. Interim maintenance at the rate of Rs. 3500/- has been ordered by the trial court. By the impugned judgment, the Appeal Court has considered all the contentions of the Petitioners and has

concluded that the interim maintenance as ordered cannot be held to be exorbitant and the order cannot be termed as being perverse and erroneous.

4. Considering the above and taking into account the factors considered by the trial court as well as the Appeal Court, I do not find that the interim maintenance as is ordered could be said to be an exorbitant amount. The Applicant – wife is expected to live in an amount of Rs. 3500/- p.m. with all her liabilities. In these circumstances, no interference is called for.

5. This Petition is devoid of merits and hence stands dismissed.

(RAVINDRA V. GHUGE, J.)