

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.4839 OF 2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Samir Kumbhakoni for the petitioner

CORAM : K. K. TATED, J.

DATE : JUNE 30, 2017

P.C.:

1 Heard the learned counsel for the petitioner.

2 This Writ Petition is preferred by petitioner challenging the order dated 29.9.2015 passed by Principal Judge, Family Court, Solapur in Petition E 249/2012 under section 125 of the Criminal Procedure Code directing petitioner to pay sum of Rs.1,500/- per month to the respondent towards the maintenance from the date of petition till further orders.

3 The learned counsel for the petitioner submits that the Family Court awarded the maintenance charges on higher side. He submits that the petitioner's earning is not that much, that he can afford to pay sum of Rs.1,500/- p.m. to the respondent. He placed on record certificate of wages issued by Mumbai Vegetable Market Unprotected Labour Board, Mumbai for the month

of December 2014 which shows that for 13 days he received Rs.3,341.86 towards wages. Similarly for the month of November, 2014 he worked for 10 days and received Rs.3,120.62 by way of wages.

4 The learned counsel for the petitioner submits that considering the income of the petitioner, order passed by Family Court awarding maintenance charges @ Rs.1500 p.m. to the respondent wife is on higher side. Hence, said order is required to be set aside.

5 I have heard the learned counsel for the parties.

6 The wage slip placed on record on page 24 of the petition shows that petitioner is earning near about Rs.8,000 to 10,000 per month.

7 Considering the fact that the amount awarded by the Family Court is only Rs.1,500/- per month to the wife, I do not find any reason to interfere in the said order.

8 Hence, Writ Petition stands rejected.

(K.K.TATED, J.)