

psv

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

WRIT PETITION NO.3650 OF 2017

Shri Hemant Govind Satpute	..Petitioner
Vs.	
Sou.Neeta Hemant Satpute & Anr.	..Respondents

**WITH
WRIT PETITION NO.14000 OF 2017**

Mrs.Neeta Hemant Satpute & Anr.	..Petitioners
Vs.	
Hemant Govind Satpute	..Respondent

Mr.Vishal Kale with Mr.Ganesh Misal i/b. Amey Deshpande for
Petitioner in WP No.3650/17.

Mr.Rahul S.Kadam for Respondents in WP 3650/17.
Petitioner in WP No.3650/17 in person present.

CORAM : G.S. KULKARNI, J.

DATE : 19th DECEMBER, 2017

P.C.:

Heard learned Counsel for the parties.

2. Writ Petition No.3650 of 2017 is filed by the husband challenging the order dated 5th December 2016 passed by learned Judge Family Court No.2, Pune, whereby an interim maintenance of Rs.15,000/- per month to respondent No.1-wife and Rs.8,000/- per month to respondent No.2-daughter has been granted. In addition to these amounts, an amount of Rs.8,000/- p.m. has been granted for availing alternate accommodation to the respondents.

3. Writ Petition No.14000 of 2017 has been filed by the wife seeking enhancement of the amount of maintenance which has been granted by learned Judge of the Family Court. The prayer in the petition is that the order dated 5 December 2016 passed by the Family Court be modified and maintenance amount of Rs.70,000/- per month be granted.

4. After the learned Counsel for the parties were heard on their respective pleas, it transpires that learned Counsel for the husband, on instructions of the petitioner's husband who is present in the Court, makes a statement that the petitioner's husband would not press his petition against the impugned order dated 5th December 2016, however, reserving a liberty to him to contest any further application for enhancement, which may be preferred by the respondent-wife and the daughter. He, therefore, submits that in view of the statement as made on behalf of the petitioner's husband, this petition as also the other petition filed by the wife need not be adjudicated. The request as made on behalf of the petitioner-husband is quite legitimate in the facts and circumstances of the case. Writ Petition No.3650 of 2017 is allowed to be withdrawn with liberty to the petitioner to assert all his pleas before the Family Court in any enhancement proceedings so filed by the respondent-wife.

5. Learned Counsel for the respondent-wife and the petitioner in other connected petition submits that his client would approach the Family Court by making a fresh application for seeking enhancement of the maintenance as raised in her writ petition, if so

advised.

6. In view of the above contentions, both the petitions would not warrant any further adjudication and stand disposed of however keeping all the contentions of the parties open. No costs.

[G.S. KULKARNI, J.]