

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.572/2017

Nitin Vasantao Jogi (Alhate) ..vs.. The State of Maharashtra thr. Secretary,
Ministry of Home, Mantralaya, Mumbai and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Mohd. Shakir, Advocate for petitioner.

Mr. N. B. Jawade, A.P.P. for respondent-State.

CORAM : V.M. DESHPANDE, J.

DATED : JULY 28,2017

This writ petition arises out of an interim order passed by the learned Judge of the Family Court, Akola dated 27.01.2017 directing the petitioner to pay an amount of Rs.4,000/- per month by way of interim maintenance to the wife and Rs.2,000/- per month to the daughter.

The petitioner is working in Government Hospital at Nashik. Though it was within the special knowledge of the petitioner about his salary, the petitioner has failed to produce any document on record to show about his salary. In that view of the matter, I do not find any reason to disturb the finding of fact recorded by the learned Court below that the petitioner is getting Rs.25,000/- by way of monthly salary. The petitioner has also not paid the arrears of maintenance to the wife and the little girl. The provision of interim maintenance is always made to see that the wife and the

minors should not become destitute and they are not thrown on the street in their lives.

The main application under Section 125 of the Cr.P.C. is still pending before the learned Judge of the Family Court. The learned Judge of the Family Court has given sound reasoning for allowing the application for interim maintenance filed by the respondents.

In that view of the matter, I see no merit in the present writ petition. The same is therefore dismissed.

JUDGE