

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD***

WRIT PETITION NO. 4757 OF 2018

Yogesh s/o Manoharrao Lad ... Petitioner

Versus

Priyanka w/o Yogesh Lad ... Respondent

Coram : N.M. Jamdar, J.

Date : 10 December 2018

Per Court :

1. On 26 November 2018 the following order was passed :-

Request is made on behalf of the petitioner for adjournment. On the last occasion, none was present for the petitioner even after keeping back the matter. Clearly there is no urgency for the petitioner.

To come up in regular course as per CMIS.

2. The matter is placed again on the board. None for the petitioner.

3. Petitioner-husband has challenged the orders dated 10 January 2017 and 27 January 2017 in respect of interim maintenance of ₹ 2,000/- to the respondent-wife. After filing the petition in June 2017, the petitioner is not prosecuting the same. The petitioner has not yet paid the arrears of maintenance. Considering the facts of the case, the learned Civil Judge has fixed maintenance of ₹ 2,000/-. Taking into account the cost of living, the amount of ₹ 2,000/- as grant of interim maintenance is reasonable.

4. In the circumstances, no interference is warranted in the impugned order. The petition is dismissed for non-prosecution. If the petitioner seeks restoration of this petition, the petitioner will have to first deposit the arrears of maintenance.

N.M. Jamdar, J.