

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

WRIT PETITION NO. 11255 OF 2018

VIJAY RABHAJI KOLPE
VERSUS
DNYANESHWAR VIJAY KOLPE AND OTHERS

...
Advocate for the Petitioner : Shri Garud N.C..

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 10th October, 2018

Per Court:

1 I have heard the learned Advocate for the Petitioner, who is aggrieved by the order dated 07.07.2018 passed by the Trial Court by which, the application Exhibit 25 filed by the Plaintiffs, who are the wife, son and daughter of the Petitioner, has been partly allowed and the Petitioner is directed to pay interim maintenance of Rs.10,000/- per month to the Plaintiffs jointly from 01.11.2017.

2 Considering the impugned order and the detailed reasons assigned by the Trial Court, I was not inclined to issue notice in this petition. However, the learned Advocate for the Petitioner submits that the Petitioner would deposit the arrears before the Trial Court and as an interim measure, some concession may be given from paying the monthly maintenance.

3 In view of the above, issue notice only to Respondent Nos.1, 2 and 3, to be served through Respondent No.3, returnable on 07.12.2018. On the condition that the Petitioner shall deposit an amount of Rs.1,20,000/- (Rupees One Lac Twenty Thousand) before the Trial Court on or before 02.11.2018, the Petitioner shall pay an amount of Rs.7000/- (Rupees Seven Thousand) as interim monthly maintenance from the month of November, 2018 on the 10th day of every month, until further orders, to Respondent No.3/ wife. If the Petitioner fails to deposit the amount as directed above, this petition shall stand dismissed without reference to the Court on 03.11.2018.

4 It is made clear that no extension of time shall be granted for depositing the amount and there shall not be any short fall in depositing the interim maintenance amount as directed above.

5 Copies of the petition paper book shall be supplied for issuance of notice on or before 22.10.2018, failing which, this petition shall stand dismissed on 23.10.2018.