

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 12 OF 2018

SANTOSH NORU NAIK., ... Petitioner

Versus

PRAJWAL SANTOSH NAIK, REP. BY,
PRAJOTI SANTOSH NAIK., ... Respondent

Mr. Ketan Morajkar, Advocate for the Petitioner.

Coram:- C. V. BHADANG, J.

Date:- 29th January 2018

P.C:

Heard the learned Counsel for the petitioner.

2. By this petition, the petitioner is challenging the order granting interim maintenance of Rs.3,000/- per month to the respondent, who is the minor son of the petitioner. The relationship between the parties is not in dispute.

3. It is contended by the learned Counsel for the petitioner that the wife of the petitioner, on her own accord, left the matrimonial house. Secondly it is contended that the petitioner has no source of income, as he was required to sell his bus. This contention in my considered view cannot be accepted. The wife is not claiming maintenance for her own. The maintenance is claimed for the minor child, who is 15 years of age. The

petitioner being an able bodied person has a legal obligation to maintain the child. The amount of Rs.3,000/- cannot be said to be exorbitant by any standards. That apart, at this stage, it is only the interim maintenance, which is granted to the respondent.

Considering the overall circumstances, no case for interference is made out. The Criminal Writ Petition is dismissed.

C. V. BHADANG, J.

EV