

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

**CIVIL APPLICATION NO.241 OF 2017
IN
FAMILY COURT APPEAL NO.76 OF 2010**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Pankaj Thatte for the Applicant

Ms.Leena R. Temkar for the Respondent

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : FEBRUARY 13, 2018**

P.C.:

1. Heard the learned counsel for the parties.
2. This Application is filed by wife for enhancement of maintenance charges of her minor daughter, Vanshika from Rs.3,000/- per month to Rs.25,000/- per month.
3. The learned counsel for the Applicant wife submits that when the impugned judgment and decree dated 4.2.2010 was passed by Family Court, Mumbai, that time, daughter was in school. Hence, sum of Rs.3,000/- per month was awarded towards maintenance. Now she is studying in 12th

standard in Mithibai College of Commerce, Ville Parle West, Mumbai. He submits that when the impugned judgment and decree was passed by the Family Court, at that time, Applicant was working. Hence, the Family Court has not granted any maintenance to her and granted only Rs.3,000/- per month to daughter. He submits that the factory where applicant was working was closed in June 2014. Hence, as on today, Applicant is unemployed. He submits that Applicant has to maintain minor child. He submits that Applicant has to bear all the expenses including college fees, tuition fees, day to day expenses such as medical, clothes etc. Hence, she has filed the present Application for enhancement of maintenance charges from Rs.3,000/- to Rs.25,000/- per month.

4. On the other hand, the learned counsel for the Respondent vehemently opposed the present Civil Application. Respondent filed their Affidavit-in-Reply dated 13.10.2017. After arguing for some time, the learned counsel for the Respondent after taking instruction from her client who is present in court makes a statement that Respondent is ready and willing to pay the maintenance charges of his daughter @ Rs.6,000/- per month from the date of filing Civil Application i.e. August, 2017.

5. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, we are of the opinion that without going into the merits of the matter, the proposal given by advocate for Respondent is accepted in the interest of justice of minor child. Even applicant has no objection for Respondent's proposal. Hence, by consent, following order is passed:

- a) Respondent, Rajdeep Ishwarlal Desai to pay monthly maintenance to his daughter Vanshika @ Rs.6,000/- from August, 2017.
- b) Arrears of maintenance for the months August 2017 to February 2018 @ Rs.3,000/- to be cleared within six months by monthly equal installment.
- c) Respondent to pay monthly maintenance of Rs.6,000/- to the Applicant towards minor daughter's maintenance on or before 10th of each month.
- d) Civil application stands disposed off accordingly.
- e) No order as to costs.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)