

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.11387 OF 2018**

Aniruddha Purshottum Satpute ...Petitioner  
vs.  
Snehal Aniruddha Satpute and Anr. ...Respondents  
Ms Yashasvita Apte, for the Petitioner.

**CORAM : M. S. SONAK, J.**

**DATE : DECEMBER 10, 2018**

**P.C.:**

. Heard Ms. Apte, learned counsel for the Petitioner.  
2. The challenge in this Petition is to the order dated 18<sup>th</sup>  
May, 2018. The operative portion of which read thus:

1. Application stands allowed in following terms:

(a) Respondent is directed to pay interim maintenance of Rs. 8,000/- per month to the Petitioner for her maintenance and Rs. 4,000/- per month for maintaining child Shubhra u/S. 24, 26 of the Hindu Marriage Act, (In all Rs. 12,000/- p.m.)

(b) The order shall take effect from the date of application i.e. from 28/06/2017.

(c) The respondent shall reimburse Rs. 35,000/- towards past educational expenses of child.

(d) Respondent is directed to bear entire educational expenses of child Shubhra henceforth by paying tuition fees directly in the school.

(e) The respondent shall pay litigation cost of Rs. 10,000/- to the Petitioner and bear his own.

3. Ms. Apte, learned counsel for the Petitioner submits that the total income of the Petitioner is hardly Rs. 30,000/- p.m.. She submits that out of this, the Petitioner is required to send an amount of Rs. 6,000/- p.m. for the maintenance of his aged parents, since, apart from the Petitioner, there are no other siblings to maintain the Petitioner's parents. She submits that the Petitioner is required to expend the amount of Rs. 12,000/- p.m. towards his mess requirement and conveyance. She therefore submits that the award of maintenance @ Rs. 12,000/- p.m. to the wife and daughter is excessive and warrants interference. Ms. Apte submits that though the salary certificate could not be produced before the Family Court, in this Court, the bank statement have been produced which substantially support the case pleaded by

the Petitioner. For all these reasons Ms. Apte submits that the impugned order warrants interference.

4. Having considered all the aforesaid submissions and perusal of the material on record, in my judgment this is not a fit case to interfere with the impugned order in exercise of the extraordinary jurisdiction under Article 227 of the Constitution of India. From the perusal of the impugned order, it is clear that the interim maintenance of Rs. 8,000/- p.m. has been awarded in favour of the Respondent-wife and Rs. 4,000/- p.m. to four year old daughter Shubhra. There is no material on record that the wife has any independent source of income. The material on record indicates that there are considerable expenses for Shubhra's schooling, not to mention, the hefty amount of Rs. 35,000/- which Respondent-wife was required to pay for enrolling school at pre primary school.

5. The learned Family Court has noted that the Petitioner failed to produce his salary certificate on record. Even along with this Petition the salary certificate is not produced but only bank statements are produced, from which a clear position cannot be

ascertained. The Petitioner has also not produced any material as regards the personal expenses or any expenses for maintenance of his parents. There is nothing stated as to whether the parents have any source of income, including any agricultural income by which they can maintain themselves. The learned Family Court has taken into consideration some material which reflects on the life style of the parties before their relationship were strained. The Family Court has also noted that there is no dispute that the Petitioner is working in Mahindra CIC Automotive Limited. Thus the maintenance amount has been determined after taking into consideration the relevant considerations.

6. There is accordingly no case made out to warrant interference with the impugned order.

7. This Petition is therefore dismissed.

8. There shall be however no order as to the costs.

**(M. S. SONAK, J.)**