

1. Heard learned Counsel for the parties. This petition is pending in this Court for quite some time.
2. Challenge in the petition is limited to the order dated 27 July 2015 which is an interim order by which on the petition of the respondent-wife under Section 125, the learned Judge of the family Court has awarded interim maintenance of Rs.8000/- per month to be paid by the petitioner to the respondent from the date of filing of the said petition (Petition No.E-452 of 2013).

3. The only contention as being urged on behalf of the petitioner is that the petitioner is not in a position to make payment of maintenance so ordered by the impugned order.

4. Considering the reasons as set out in the order which takes into consideration the background on which the petitioner stands and the basic cost of living and the expenditure the respondent would require to make, the learned Judge of the family Court has awarded Rs.8000/- per month to be paid by the petitioner. Further the plea of the petitioner before the family Court was also vague and not inspiring any confidence. In fact it appears that some contradictory stands were taken by the petitioner in defending the said application. Thus, as no other ground is made out, the interim order would not call for any interference. The petition is accordingly rejected.

5. At this stage learned Counsel for the petitioner seeks some time to deposit the amount of arrears of maintenance as awarded under the impugned order dated 27 July 2015. The petitioner shall deposit the arrears of maintenance on or before 30 April 2018. Needless to observe that if the said amount is not deposited, the respondent is at liberty to adopt appropriate proceedings to execute the interim orders dated 27 July 2015 passed by the family Court.

6. It is however clarified that it would be open to the petitioner to approach the family Court by moving an application under Section 127 of the Code of Criminal Procedure, if circumstances so justify to move such an application, requiring modification of the interim order. If any such an application is filed, the same be decided on its own merit. All contentions of the parties in that regard are kept open.

7. Considering the background of the litigation and that the main petition under Section 125 is pending quite some time, it would be appropriate that the family Court takes up the main petition and endeavours to dispose of the same as expeditiously as possible and preferably by August, 2018.

8. The petition is accordingly disposed of in the above terms.
No costs.

(G.S.KULKARNI, J.)