

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

**CIVIL APPLICATION NO.263 OF 2017
IN
FAMILY COURT APPEAL NO.72 OF 2015**

Mrs. Shobha Sanjay Jadhav : Applicant/Appellant.

Versus

Sanjay Ramchandra Jadhav : Respondent.

Mr. V S Kapse i/by Mr. Kunal Rane for the Applicant/Appellant.

Mr. Ramesh D Kamble for the Respondent.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE, JJ.**

DATE : 22nd FEBRUARY 2018

P.C.

1 The above Civil Application has been filed for enhancement of the maintenance from Rs.3500 (wrongly mentioned as Rs.750/-) to Rs.7500/- for the wife and from Rs.3500/- (wrongly mentioned as Rs.1000/-) to Rs.7500/- for the daughter.

2 The above Family Court Appeal is arising out of the order of maintenance granted by the Family Court which was at Rs.3500/- each to the wife and the daughter Priyanka. The case of the Respondent that the wife is earning by taking tuition with the help of the daughter has been rejected by the Family Court. However, though the said contention was rejected, the Family Court has fixed the maintenance as indicated above at Rs.3500/- each to the wife and the daughter Priyanka. The same is done in the year 2015

when the total salary of the husband was Rs.22939/- which has now stood increased to Rs.31000/- after deduction towards Co-operative Credit Society and other deductions. Hence there has been an increase in the take home salary of the Respondent husband to the tune of Rs.9000/- approximately. The said maintenance has also been fixed in the year 2015 and thereafter judicial notice can be taken of the fact that the costs of living has increased. We therefore deem it appropriate to allow the above Civil Application to the extent of increasing the maintenance granted to the daughter Priyanka from Rs.3500/- to Rs.4500/- from 01/03/2018. However, in so far as the maintenance to the wife is concerned, the same would remain at Rs.3500/- as prima facie we are not satisfied with the explanation given by the learned counsel for the Applicant that the Applicant is not doing anything and is only the home maker. The above Civil Application is accordingly disposed of.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]