

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.1948 OF 2018**

Siddharth Shripat Gore] Petitioner

Vs.

Swapnali Siddharth Gore] Respondent

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Mr. Abhey Jagtaph, for Petitioner.

Mr. Bhalchandra Shinde, for Respondent.

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CORAM : R.G. KETKAR, J.

DATE : 5TH JULY, 2018.

P.C:

Heard Mr. Jagtaph, learned Counsel for the petitioner and Mr. Shinde, learned Counsel for the respondent at length.

2. By this Petition under Article 227 of the Constitution of India, the petitioner has challenged the judgment and order dated 16th June, 2017 passed by the learned Judge, Family Court-4, Pune below Exhibit 5 in P.A No.477 of 2016. By that order, the learned trial Judge allowed the application filed by the respondent for interim maintenance, litigation of costs and return of stridhan articles from the petitioner/husband. The learned trial Judge directed the petitioner to pay amount of Rs. 15,000/- per month to the respondent-wife towards interim maintenance from the date of application i.e from 26th April, 2016. As far as stridhan articles and other articles are concerned, the learned trial Judge observed that same aspect will be considered at the time of final hearing of the case.

3. Mr. Jagtaph invited my attention to paragraphs 11 and 19 of the Petition. Mr. Shinde invited my attention to the reply filed by the respondent and in particular paragraphs 11, 16 and 17. There is a dispute between the parties on the question whether respondent is working as an administrator in M/s. Shri Siddhivinayak Engineering and is getting salary of Rs. 30,000/- per month. It is not possible for this Court to investigate this aspect. Realizing this position, on instructions from the petitioner, who is present in the Court, Mr. Jagtaph seeks permission to move the trial Court for modification of the impugned order by producing concrete material in support of petitioner's case. In view thereof, he seeks permission to withdraw the Petition.

4. On the motion made by Mr. Jagtaph, Petition is allowed to be withdrawn and as such is disposed of. Order accordingly.

[R.G. KETKAR, J.]