

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL REVISION NO.33/2018

Rubina Parvin w/o Mohd. Mujahid ..vs.. Mohd. Mujahid Moh. Yusuf & anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms J. P. Junghare, Advocate for applicant.

Mr. T. A. Mirza, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : FEBRUARY 15, 2018

1. Heard Ms J. P. Junghare, learned counsel for the applicant and Mr.T. A. Mirza, A.P.P. for non applicant.

2. By the present revision, the applicant is challenging the judgment and order passed by the learned Judge Family Court, Akola dated 04.01.2018 by which the learned Judge has partly allowed the application filed on behalf of the applicant for maintenance and directed that the non applicant-husband shall pay an amount of Rs.7,000/- per month from the date of filing of the application i.e. 30.07.2016 towards maintenance and the also directed to pay Rs.2,000/- by way of costs.

3. The wife, being dissatisfied with the same, has approached to this Court.

4. The learned Judge Court below has considered the pleadings and documents on record inclusive of the

income tax returns of the non applicant. In paragraph 21 of the impugned judgment, the learned Judge has found that the non applicant-husband is owner of one Khushi Mobiles and during the financial year 2015-2016, he has earned Rs.2,10,520/- and during the assessment year 2016-2017 income he earned Rs.2,48,290/- as per the income tax returns Exh.-54 and 55. It is also found that the non applicant is also proprietor of Tawakkal Fruit. However, the learned Judge of the Family Court ultimately noticed that the income of the non applicant in between Rs.20,000/- to Rs.25,000/- and thereafter the maintenance amount was fixed at the rate of Rs.7,000/-. Thus the wife is getting maintenance at the rate of Rs.7,000/-.

5. After having gone through the well reasoned judgment, I do not see any reason to interfere with the same since no perversity or illegality has crept in.

The revision application is therefore rejected.

JUDGE