

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.10336 OF 2019

PRASHANT MANGULAL SALUNKE
VERSUS
DIPALI PRASHANT SALUNKE

...

Advocate for the Petitioner : Shri Bhamre Manish V.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 21st August, 2019

Per Court:

1 I have heard the learned advocate for the petitioner/
husband. The impugned order is dated 07.12.2018 granting interim
maintenance to the respondent/ wife at the rate of Rs.5000/- per month.

2 I find that the learned Family Court, Dhule concluded that it
would be appropriate to grant maintenance to the wife from the date she
appeared before the court. The wife had filed the application exhibit 15
seeking interim maintenance on 30.11.2018. In the operative part of the
order, the maintenance is directed to be paid from 05.06.2018.

3 I do find that the conclusion drawn by the learned Family
Court in paragraph 11 in the impugned order is specific and clause 2 of
the operative part of the order runs counter to the said conclusion.

4 At this stage, I have considered the submissions of the learned

advocate for the petitioner on the quantum of interim alimony and I am of the considered view that taking into account the salary of the petitioner, which is about Rs.45,000/- per month, the interim maintenance amount is just and proper. I, however, leave this issue open if the wife approaches this court for enhancement.

5 As such, this writ petition is disposed off with liberty to the petitioner to approach the learned Family Court, Dhule, which passed the impugned order and seek a clarification as regards the payment from the date of appearance of the respondent/ wife.

kps

(RAVINDRA V. GHUGE, J.)