

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

**CIVIL APPLICATION NO.196 OF 2016
IN
FAMILY COURT APPEAL NO.129 OF 2016**

Mrs.Nikita Sunil Rathod	 Applicant
versus	
Sunil Subash Rathod	... Respondent

.....

- Mr.Rajshekhar Alange, Advocate for Applicant.

**CORAM : AKIL KURESHI &
SARANG V. KOTWAL, JJ.
DATE : 20th MARCH, 2019.**

P.C. :

1. Though served, no one appeared for the Respondent-husband.

2. This application is filed by the wife who is the Appellant in Family Court Appeal No.129/16, in which the Appellant wishes to challenge the decree of dissolution of marriage passed by the Family Court. In this Civil Application her prayer is for grant of maintenance of Rs.10,000/- pending Appeal.

3. We notice that during pendency of the proceedings before the Family Court, the Respondent-husband was directed to pay monthly interim maintenance of Rs.10,000/-. Such order was challenged by the Respondent before this Court by filing Writ Petition No.9664/14. Such Petition was dismissed by the Single Judge of this Court by an order dated 28/03/2016. Perusal of this order would show that the Respondent is employed as an Engineer with the Pune Municipal Corporation. The Court had recorded that the monthly salary of the Respondent-Husband was more than Rs.37,000/-. There is nothing on record to suggest that the wife has any independent source of income. Under such circumstances by way of interim relief, the Respondent is directed to pay an interim maintenance of Rs.10,000/- per month to the wife pending disposal of the Family Court Appeal. This direction shall take effect from the date of the order.

4. Civil Application disposed of accordingly.

(SARANG V. KOTWAL, J.)

(AKIL KURESHI, J.)