

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1504/2019

Prakash S/o Pandhari Patharkar & anr.

..VS..

Annakala @ Sushila Wd/o Bhikaji Patharkar & ors.

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

Court's or Judge's orders

Shri H.R. Gadhia, Advocate for the petitioner(s)

CORAM : Z.A.HAQ, J.
DATED : 28/02/2019

Heard.

In the civil suit filed by the respondent no. 1 (aged about 69 years) praying for decree for partition, separate possession and mesne profit, the respondent no. 1 – plaintiff had filed an application under Section 151 of the Code of Civil Procedure praying that the defendant nos. 1 to 4 be directed to pay Rs. 5,000/- per month to her towards interim maintenance. This application is decided by the trial Court by the impugned order. The learned trial Judge has directed the defendant nos. 1 and 2 to jointly and severally pay Rs. 3,000/- per month to the respondent no. 1 – plaintiff.

After examining the documents placed on record and going through the impugned order, I find that the conclusions of the learned trial Judge summed up in para no. 9 of the impugned order, cannot be faulted with, as they are based on proper appreciation of the material on record.

I see no reason to interfere with the impugned order.

The writ petition is **dismissed**. No costs.

As the civil suit is of 2010, the learned trial Judge is directed to dispose the civil suit till 30/09/2019.

JUDGE

Ansari