

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH NAGPUR

CIVIL APPLICATION NO.541/2019
IN
FAMILY COURT APPEAL NO.10/2019

Sau Ekta W/o. Mangesh Khobragade
..VS..
Shri Mangesh S/o. Kishor Khobragade

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

Court's or Judge's orders

Shri M. P. Kariya, Advocate for the appellant
Shri A. B. Bambal, Advocate for the respondent

CORAM : Z.A.HAQ AND
PUSHPA V. GANEDIWALA, JJ.
DATED : 24th September 2019

Heard.

2] Undisputedly, during the pendency of the trial there was an order of the trial Court for interim maintenance of Rs.5000/- per month to the appellant inclusive of maintenance of Rs.2000/- to the child. The divorce petition is decreed in favour of the respondent. The said judgment and decree is challenged in this appeal. The appeal being a continuation of the original petition, in our opinion, the appellant is entitled for interim maintenance of Rs.5,000/- per month inclusive of Rs.2000/- to the child. Age of the child is now five and half years. He is said to be going to school. Learned Advocate for the respondent submits that the appellant is already getting maintenance of Rs.1500/- in proceedings under the Protection of Women from Domestic Violence

Act, 2005. Undisputedly, at the time of order of interim maintenance of Rs.5000/-, the child was not going to school. In this view of the matter, we are of the view that at this stage Rs.6500/- which includes Rs.1,500/- as per the order in proceedings under the Protection of Women from Domestic Violence Act, 2005 for the appellant and her child, would be a reasonable amount towards interim maintenance, from the date of judgment of the family Court.

Civil application is **allowed**. No costs.

The appellant is directed to provide account number to the respondent so that he will deposit the amount of maintenance in the account regularly.

(PUSHPA V. GANEDIWALA, J.)

(Z.A. HAQ, J.)