

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

WRIT PETITION NO. 2298/2017

Nilesh S/o Narendra Deshmukh

..VS..

Rupali W/o Nilesh Deshmukh

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

Court's or Judge's orders

Shri A.Tirukh, Advocate for the petitioner
Shri S. Alaspurkar, Advocate for the respondent

CORAM : Z.A.HAQ, J.
DATED : 09/01/2019

Heard.

The petitioner – husband has challenged the order passed by the Family Court directing him to pay Rs. 6,000/- per month to the respondent – wife towards interim maintenance till the decision of the petition filed by the husband under Section 13 (1) (ia) r/w Section 13 (1) (iii) of the Hindu Marriage Act. The learned advocates appearing for the petitioner as well as the respondent have submitted that the Hindu marriage petition is dismissed in default on 14/09/2017 and the petitioner – husband has not taken any steps for its restoration. It is further submitted that the execution proceedings filed by the respondent – wife to execute the impugned order are also dismissed as the husband could not be served with the notice of the execution proceedings. The learned advocate for the petitioner – husband has stated that the petitioner is not in contact with him.

On going through the impugned order, I find that the Family Court has dealt with the relevant aspects in para no. 6 of the impugned order. The petitioner has not been able to point out that the conclusions of the Family Court are not in consonance with the material placed on record.

I see no reason to interfere with the impugned order in the extra-ordinary jurisdiction.

The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE

Ansari