

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

WRIT PETITION NO.3003/2017

Devidas Hemraj Gaur

..Vs..

Ku. Chetna @ Puja Devidas Gaur and another

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

Court's or Judge's orders

Shri R.G. Kavimandan, Advocate Advocate for the petitioner.
Shri P.B. Awachat, Advocate for respondent Nos.1 and 2.

CORAM : Z.A. HAQ, J.

DATED : 7.6.2019.

Heard.

The petitioner has challenged the order passed by the trial Court directing him to pay Rs.1,500/- per month to each of the respondent (daughters of petitioner) towards interim maintenance. According to the petitioner, at the time when impugned order was passed on 29th August 2016, the petitioner was required to pay Rs.2,000/- per month to his wife / mother of respondents and Rs.1,400/- per month to each of the respondent as per the order passed by the learned Magistrate on 9th February, 2016 in proceedings under Section 125 of the Code of Criminal Procedure. It is further submitted that the respondents are residing with their mother with whom the petitioner's matrimonial ties are severed because of divorce and the petitioner is having the responsibility to maintain his second wife and two minor children.

With the assistance of learned Advocates for

the respective parties, I have examined the material placed on record of the writ petition. The respondent No.1 is aged about 23 years and respondent No.2 is aged about 20 years. Learned trial Judge has taken into consideration the fact that the petitioner is required to pay maintenance to each of the respondent as per the order passed in proceedings under Section 125 of the Code of Criminal Procedure and has consciously directed the petitioner to pay additional amount towards maintenance. The approach of the learned trial Judge is judicious and proper. Though the impugned order is very short, the conclusions of the learned trial Judge are in consonance with the facts of the case and the legal position. I find that the impugned order does not require any interference by this Court in the extraordinary jurisdiction.

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

JUDGE