

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

WRIT PETITION NO. 7790 of 2017

(Shri Avinash S/o Ramdas Bhoyar -Vs- Sau. Gayatri W/o Avinash Bhoyar)

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

Court's or Judge's orders

Ms. Sheetal S. Deshpande, Adv. for the petitioner.
Shri H.P. Lingayat, Adv. for respondent.

CORAM : Z.A.HAQ, J.

DATED : 26th July, 2019

Heard.

By the impugned order, the Family Court has recorded that the respondent is employed and is getting salary about Rs.39,000/- per month. In view of this finding, the claim of the respondent for interim maintenance is rejected. The Family Court has directed the petitioner to pay Rs.3000/- per month towards interim maintenance to the son aged about 14 years and Rs. 3000/- per month towards interim maintenance to the daughter aged about 9 years. Being aggrieved by the order passed by the Family Court, directing the petitioner to pay the amount of interim maintenance to the children, the petitioner has filed this petition.

According to the petitioner, the respondent (mother of the children) is getting handsome salary and she can take care of the needs of minor children. The petitioner further contends that he is working as Driver and his earning is not enough to bear the liability to pay Rs.6,000/- per month to the children.

After going through the impugned order, I find that the Family Court has judiciously examined all the relevant aspects and in my view, there is no scope to interfere with the impugned order.

The writ petition is **dismissed** with costs quantified at Rs. 5,000/- to be paid by the petitioner to the respondent. The amount of costs shall be deposited by the petitioner before the Family Court within one month.

The amount deposited by the petitioner with the Registry of this Court alongwith the interest on it, if any, be given to the respondent.

JUDGE

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