

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**903 CIVIL APPLICATION NO. 7279 OF 2020
IN WP/4292/2019**

**KRANTI BALAJI JADHAV
VERSUS
BALAJI KESHAV JADHAV**

Advocate for Applicant : Mr. R.D. Thorat.
Advocate for Respondent : Mr. S.K. Chavan.

**CORAM : MANGESH S. PATIL, J.
DATED : 10.12.2020**

PER COURT :

In a divorce proceeding between the parties, the applicant - wife claimed alimony pendente-litae under Section 24 of the Hindu Marriage Act. By the order impugned in the petition the respondent husband was directed to pay to her Rs. 25,000/- per month from the date of the application and cost of Rs. 5,000/-.

2. While entertaining the Writ Petition, pursuant to the order passed by this Court dated 05.02.2020, the respondent-husband has deposited an amount of Rs. 2,87,500/- in this Court on 18.02.2020.

3. The application is now moved for withdrawal of the amount by the applicant.

4. Learned Advocate for the respondent strongly opposes the application. He submits that the wife is also earning sumptuous salary. She is also a doctor. The husband is providing for education of both the children. Besides, he also has many other liabilities like home loan, etc. But the trial Court has not considered all these aspects and has fixed the maintenance which is exorbitant.

5. Without indulging into the controversy on merits, suffice for the purpose to note that it is the matter of grant of alimony under Section 24. Admittedly the two daughters are staying with the wife. Consequently, when the respondent – husband is a doctor, the applicant – wife deserves to be paid the amount which can be made subject to the final decision of the Writ Petition.

6. The application is allowed. The applicant – wife is allowed to withdraw Rs. 2,87,500/- subject to furnishing usual undertaking.

7. Application is disposed of.

8. At this juncture, the learned Advocates request for referring the parties to the Mediator. Mr. N.B. Khandare is appointed. Parties may appear before him on 17.12.2020.

(MANGESH S. PATIL, J.)