

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1707 OF 2020

Sandip Namdev Suryawanshi .. Petitioner
Versus
Shubhangi Sandip Suryawanshi & ors .. Respondent

...

Mr. Rahul Motkari for the petitioner.
None for the respondent.

CORAM: BHARATI DANGRE, J.

DATED : 28th FEBRUARY, 2020.

P.C:-

1 Heard Learned counsel for the petitioner and perused the order passed by the Judge, Family Court, Nashik on an application filed by the wife under Section 25 of the Hindu Marriage Act for grant of interim maintenance. The application on which the order is passed contain an assertion that the husband has an earning capacity of Rs.Three lakhs per year and based on the said assertion an amount of Rs.15,000/- has been claimed towards maintenance.

2 The Judge, Family Court, on consideration that a bare amount of Rs.5,000/- would be sufficient for her sustenance has granted the said application. Learned counsel for the petitioner vehemently opposed and submit that the said order is illegal since according to him he can demonstrate that she is serving as a teacher in a school run by her parents. The said documents, according to him, are of no consequence firstly for the reason that mere engagement in the school does not prove that she is occupying a sanctioned post enabling her to draw a salary. The second reason being that the amount of maintenance that has been granted by the impugned order is too meager to be assailed and as a husband it is his responsibility to cater to the necessity of his wife to the bare necessity.

3 Writ Petition being without any merit and substance is dismissed.

SMT. BHARATI DANGRE, J