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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 56 OF 2019**

Dinesh Govind Vinerkar

.... Applicant.

V/s

Darshana Dinesh Vinerkar

..... Respondent.

Mr. Mukund More i/b Maharashtra Legal Associates for the Applicant.
Mr. Shashikant Chaudhari for the Respondent (Legal Aid Advocate)

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 6, 2020

P.C.:-

1] The order of interim maintenance awarded under Section 125 by the Magistrate and confirmed in appeal by the by the Sessions Court is a subject matter of challenge.

2] Both the Courts below, having regard to the fact that Applicant-husband is working as a driver, awarded maintenance of Rs 1500/- to wife and Rs 1500/- to child. Both the orders are questioned on the ground that Respondent-wife is self-employed and she is getting substantial income from transfer of property and that being so, she is self-sufficient to maintain herself.

3] Learned Counsel for the Respondent supports the order as, according to him, meagre amount of Rs 1500/- per person is awarded.

4] It is not in dispute that Applicant-husband is doing a job of driving. Considering salary of a driver in a city like Mumbai, award of maintenance of Rs 1500/- to each of the Respondents cannot be termed to be exorbitant. Even if it is presumed that Respondent-wife is earning by doing some domestic work, that by itself would not put an embargo on her right to claim maintenance, particularly when she has every right to live in a lifestyle in which she was living before separation. As such, there is no substance in this Revision Application and same stands dismissed.

(NITIN W. SAMBRE, J.)