

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 3428 OF 2017

Vijay Kumar Dudam Petitioner

Vs.

Mrs. Pallavi Vijay Kumar Dudam Respondents
& Ors.

Mr. Prashant C. Mohite for Petitioners
Ms. Susan Abraham – appointed Advocate for Respondents
Mr. S.S. Hulke, APP for the State

Coram : NITIN W. SAMBRE, J.

Date : 22nd January, 2020

P.C.:

1. The order of payment of maintenance under D.V. Act is subject matter of challenge.

2. It is the claim of the petitioner that the award of interim maintenance of Rs.5,000/- per month plus Rs.2,000/- per month towards the accommodation charges is exorbitant. The claim of the Petitioner is that he is working on piece-rated basis in a tailoring shop and it cannot be inferred that he is earning around Rs.15,000/- per month.

3. The aforesaid contention, in my opinion is liable to be rejected for the reason that the Petitioner is working as a skilled worker on piece-rated basis in a tailoring shop. Considering the minimum wages prescribed for a skilled worker, award of maintenance by the learned Magistrate, confirmed in an appeal under the provisions of D.V. Act appears to be quite reasonable.

4. No interference is called for. The Petition fails. Dismissed.

5. The amount if any, deposited in this Court is permitted to be withdrawn by the respondent-wife.

(NITIN W. SAMBRE, J.)