

2. Vide impugned order dated 15th January, 2015, the learned Judicial Magistrate First Class, Malegaon awarded maintenance of Rs.3,000/- per month and Rs.2,000/- towards the legal expenses to the respondent-wife, which order was questioned by the Petitioner before the the learned Sessions Judge in revision. The revision came to be dismissed on 30th May, 2016. As such, this petition questioning both these orders.

3. Heard learned counsel for the Petitioner.
4. My attention is invited to the plea raised in the petition, whereby the petitioner has denied the relationship as husband and wife. According to the Petitioner, the respondent is imposter and in absence of any lawful relations of husband and wife, the maintenance ought not to have been ordered.
5. If the aforesaid submissions are appreciated, no plea to that effect was raised before the learned Magistrate or the revisional court. For the first time such plea of denial of relationship is canvassed through this petition.
6. The plea of denial of relationship is completely by way of after thought. Said plea can be established by the Petitioner in an inappropriate proceedings that too in accordance with law.
7. In the wake of above, the order of award of maintenance based on the existing fact on the date of passing of order is justified.

8. No case is made out for interference. The petition is dismissed.

(NITIN W. SAMBRE, J.)