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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 4725 OF 2014**

Mehboob Ahmed Hussain Nagar BawadiPetitioner

V/s.

Tasneenara Mehboob Nagarbawadi and OrsRespondents

Mr. H. K. Sayyed for the Petitioner

Mr. S. G. Deshmukh i/b Mr. Ramdas Shelke for respondent nos. 1 to 4

CORAM : NTIN W. SAMBRE, J.

DATE : FEBRUARY 13, 2020.

P.C.

Family Court vide order dated 22/08/2014 awarded maintenance of Rs. 10,000/- in favour of respondent-two daughters, Rs. 7000/- in favour of son and Rs. 5000/- in favour of wife.

2] Said order is questioned on the ground that upto 2011, present petitioner was maintaining the respondents. The only cause which according to the petitioner cited by the Family Court for awarding

maintenance is that petitioner got re-married. According to him, inspite of re-marriage, it can be inferred from the evidence brought on record that petitioner was very much maintaining the respondents.

3] Shri. Deshmukh, learned counsel for the respondents would support the order.

4] Considered submissions.

5] It is not in dispute that petitioner-husband-father is working as a professor and is earning around Rs. 1,50,000/- per month.

6] So far as daughter respondent no. 1 is concerned, she got married on 23/12/2017 whereas son-respondent no. 3 has attained majority and that being so, petitioner has stopped paying maintenance to these two children.

7] Considering the quantum of income of the petitioner, his

status as an academician and the fact that he got re-married, has rightly prompted the Family Court to pass an order of payment of maintenance.

8] In my opinion, claim of the petitioner that he was maintaining the respondents upto 2011 and just because he got married for 2nd time, by itself should not have been weighed in favour of the respondents for award of maintenance, cannot be accepted or such reasons can be faulted with.

9] Award of maintenance perhaps appears to be on much lower side.

10] In view of above, no case for interference in extraordinary jurisdiction is made out. Petition fails, stands dismissed.

[NITIN W. SAMBRE, J.]