

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

WRIT PETITION NO.5732 OF 2019

Amit Rajendra Pardeshi Petitioner

Vs.

Samidha Amit Pardeshi & Anr. Respondents

Mr. Kirankumar J. Phakade for Petitioner.
Mr. N.B. Patil, APP for State

Coram : NITIN W. SAMBRE, J.
Date : 8th January, 2020

P.C.:

1. After judicial separation, the party got remarried on 18th March, 2016.
2. The Family Court No.2, Pune awarded maintenance of Rs.25,000/- per month each to the respondent-wife and two daughters, which is subject matter of challenge.
3. The submissions of learned counsel for the Petitioner while questioning the order of awarding of maintenance is that the applicant owes his responsibility to pay maintenance to his daughters. However,

as far as the maintenance of respondent-wife is concerned, the wife was initially employed in the year 2010 and as such she can get employment and that being so maintenance ought not to have been awarded to her.

4. Further submission is that the award of maintenance is on higher side as the Petitioner-husband has every responsibility to maintain his mother, who is staying independently on the instructions of the respondent-wife. He would further urge that the amount of Rs.25,000/- to be paid to the wife towards maintenance is on higher side.

5. It is not in dispute that the gross pay of the Petitioner is about Rs.3,52,162/- per month as has been considered by the Family Court in the order impugned. After deductions, the Family Court noticed net pay receivable by the Petitioner is Rs.1,90,941/-. The Petitioner has responsibility to maintain in all four members viz, his wife, two children and mother.

6. Keeping aside 1/3rd amount out of the net salary, the award of maintenance of Rs.25,000/- to the wife is very much justified.
7. No case for interference is made out.
8. The Petition fails. Dismissed.

(NITIN W. SAMBRE, J.)