

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.7323 OF 2017

(Rahul Bapuraoji Ingole Vs. Sau. Vaishali Rahul Ingole)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri P.A. Kadu, Advocate for Petitioner.

CORAM: RAVINDRA V. GHUGE, J.

DATE: 13th JANUARY, 2020.

1] The petitioner husband is aggrieved by the order dated 26.07.2017 passed by the Family Court, Amravati vide which, application Exh.11 filed by the respondent wife in Petition No.A-86/2016 seeking interim maintenance, was partly allowed and she was granted Rs.10,000/- per month as interim maintenance from the date of the application dated 25.08.2016.

2] This Court issued notice on 12.03.2018 and by way of an *ad-interim* relief, the petitioner was directed to pay Rs.6000/- per month to the wife. The said order is in existence for almost one year and ten months.

3] The learned Advocate for the petitioner makes a solemn statement to the Court that the petitioner is not in arrears from the date of the application dated 25.08.2016.

4] Despite service of court notice, the respondent wife has not appeared either in person or through an Advocate.

5] The learned Advocate for the petitioner has

frankly placed on record a photostate copy of the salary slip for the month of September and October 2017, which is marked as "X" for identification. The said certificate indicates that his gross salary was Rs.13,500/- and the net salary was about Rs.10,500/-. In my view, the said salary must have increased in the past two years. Nevertheless, since the petitioner has made a statement that he is regularly paying Rs.6000/- to the wife as interim maintenance and since she does not choose to contest this petition, this petition is allowed in terms of the order dated 12.03.2018.

6] In the event, the wife makes an issue before the Family Court in Petition A-86/2016 that the petitioner husband is in arrears, this order shall stand recalled and the order of the learned Family Court dated 26.07.2017 shall stand restored. In the event, the petitioner has paid Rs.10,000/- per month to the wife till the passing of this order dated 12.03.2018, the same shall not be interfered with and the petitioner shall be liable to pay Rs.6000/- in view of the order of this Court dated 12.03.2018 until further orders from the Family Court.

7] The Registry of this Court, as well as the petitioner, shall place a copy of this order before the learned Judge, Family Court, Amravati in Petition A-86/2016.

(Ravindra V. Ghuge, J.)