

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

WRIT PETITION NO.14622 OF 2018

Ajay Pal Singh S/o Harkrishan Singh ..Petitioner
Versus
Manmeet Kaur W/o Ajay Pal Singh ..Respondent

Mr. Satyaprakash Sharma a/w Mr. Amit Singh i/by Global Juris,
Advocate for the Petitioner.

Mr. Ram Asare Yadav, Advocate for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 25th NOVEMBER, 2021

PC.

1. Having heard respective counsel, respondent – wife namely, Manmeet Kaur W/o Ajay Pal Singh with maiden name Manmeet Bhatia bearing Aadhar Card No.5341 2678 5694 is permitted to withdraw the amount as directed on 8th October, 2021.

2. The parties got married on 24th October, 2015 and the respondent – wife claimed to have parted company of the petitioner on 16th March, 2016. At the behest of petitioner, proceeding under Section 9 of the Hindu Marriage Act for restitution of conjugal rights is pending against the respondent – wife whereas respondent – wife claimed maintenance under Section 24 is awarded vide impugned order.

3. The award of interim maintenance is questioned on the ground that the wife is highly qualified and was in employment

after marriage. She left the said job voluntarily so as to establish her claim for maintenance. It is also claimed that in view of conduct of the respondent – wife and her mother of time and again disturbing the applicant at the place of his employment, petitioner was required to be resigned and that being so, since he is unemployed, the maintenance awarded is not justified.

4. Prayer is opposed by the learned counsel for the respondent – wife.

5. The fact remains that when the proceedings were initiated, petitioner was gainfully employed. Considering his nature of employment, the Court considered his monthly salary at the rate of Rs.1,00,000/- and proceeded to award interim maintenance of Rs.10,000/- per month.

6. Even if the wife has resigned from the employment, however, the petitioner has come out with the case at the relevant time wife was drawing salary of Rs.20,000/-.

7. In the aforesaid background, considering the fact that the respondent – wife is entitled to live in accordance with the standard in which petitioner is living, the award of maintenance of Rs.10,000/- per month is very much justified.

8. No case for interference is made out. Writ petition is accordingly dismissed.

[NITIN W. SAMBRE, J.]