

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

Writ Petition No. 7225 of 2019

Ritesh s/o Rajkumar Ahuja Vs. Siya @ Manju W/o Ritesh Ahuja

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

Court's or Judge's orders

Mr. G.I. Dipwani, Advocate for the respondent

CORAM : MANISH PITALE, J.

DATED : JUNE 17, 2021

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. This Petition was listed yesterday for consideration. None appeared on behalf of the petitioner while the learned counsel for the respondent was ready for arguments. In this situation, this Petition was directed to be listed today (17/06/2021).

3. Today, when the Petition is called out for hearing again none has appeared on behalf of the petitioner, while the learned counsel for the respondent has appeared and he is ready for arguments.

4. By this Petition, the petitioner has challenged an order dated 24/12/2018, passed by the Family Court at Nagpur, directing the petitioner to pay Rs.5,000/- per month towards interim maintenance to the respondent i.e. his wife. In the impugned order, it is recorded that the respondent suffered amputation of her left hand as a result of an accident after the marriage. The petitioner denied any amount towards maintenance to the respondent due to which she has been constrained to approach the Family Court.

5. The Family Court has taken into consideration material on record, which indicates that the petitioner is having tailoring business in the commercial locality and that considering the predicament of respondent, who has been handicapped in the accident referred to above, the petitioner ought to pay amount of Rs.5,000/- per month towards interim maintenance from the date of application.

6. The learned counsel for the respondent informs this Court that only amount of Rs.25,000/- have been paid by the petitioner and that too in terms of directions given by this Court in the order dated 10/12/2019. Apart from the said amount, no further amount had been paid by the respondent.

7. As noted above, none has appeared on behalf of the petitioner yesterday as well as today.

This Court has perused the impugned order and the material on record. It is found that no error can be attributed to the Family Court in having passed the impugned order. Accordingly, the writ petition is dismissed.

8. In view of dismissal of the writ petition, the petitioner is directed to pay arrears of interim maintenance amount granted by the Family Court to the respondent within a period of three months from today and to continue to pay such amount in terms of the directions given in the impugned order subject to further proceedings before the Family Court.

9. In view of dismissal of the writ petition, all pending applications stand disposed of.

JUDGE