

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.28760 OF 2022

Tusarkanta Sethy

....

Petitioner

Mr. Achyutananda Pattanaik, Advocate

-versus-

Puspanjali Sethy

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

28.11.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks to assail the order dated 23rd August, 2022 (Annexure-4) passed by learned Judge, Family Court, Bhadrak in Interim Application No.2 of 2022 (arising out of C.P. No. 206 of 2019), whereby the Petitioner has been directed to pay a sum of Rs.7,500/- per month to the Opposite Party-Wife as *pendente lite* maintenance.
3. Mr. Pattanaik, learned counsel for the Petitioner submits that the relationship between the parties is not disputed. The take home salary of the Petitioner is Rs.31,677/- per month. He is also repaying an installment of Rs.19,000/- per month towards house building loan. Hence, *pendente lite* maintenance of Rs.7,500/- per month is excessive and it is very difficult on the part of the Petitioner to pay the same. Hence, he prays for reconsideration of the quantum of *pendente lite* maintenance.
4. Considering the submission made by learned counsel for the Petitioner and on perusal of the record more particularly the impugned order under Annexure-4, it is evident that the take

home salary of the Petitioner is Rs.31,677/- per month. Further, payment of installment for house building loan cannot be taken into consideration for determining the quantum of maintenance. Hence, a direction to pay Rs.7,500/- per month to the Opposite Party-Wife appears to be just and reasonable keeping in mind the facts and circumstances of the case discussed in detail by learned Judge, Family Court, Bhadrak.

5. In view of the above, I am not inclined to entertain the writ petition, which stands dismissed.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge



bks