

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

**WRIT PETITION NO.6115 OF 2021**

DEEPAK NARAYANDAS SABNANI  
VERSUS  
VANITA DEEPAK SABNANI

Mr.J.M. Murkute, Advocate for the petitioner.  
Mr.A.S.Savale, Advocate for the respondent.

**( CORAM : BHARATI H. DANGRE, J.)**

**DATE : FEBRUARY 24, 2022**

PER COURT :

1. Heard the learned Advocate for the petitioner and the learned Advocate for the respondent.

The petition is filed being aggrieved by an order passed on 05/02/2021 by the learned Joint Civil Judge, S.D. Dhule below Exh.28 when the "no written statement order" against the opponent/petitioner husband is set aside subject to payment of costs of Rs.45,000/-.

2. On perusal of the impugned order, it can be seen that the "no written statement order" came to be passed on 08/11/2019 and the Court record that the husband took almost 15 months to file his written statement and the application came to be preferred within 3 (three)

months from the date of passing of the order.

3. In order to afford a reasonable opportunity to the husband to file his written statement, the Court directed payment of costs of Rs.45,000/-. The said amount has been arrived at by taking into consideration the amount of maintenance of Rs.15,000/- directed to be paid to the wife by way of an interim maintenance and Rs.45,000/- (multiplied by 3 months maintenance) was imposed as a costs. I see no reason to interfere with the same and particularly when I have disposed of WP No.3014/2021 filed by the petitioner, by recording that the income tax return of the year 2017-2018 filed by the petitioner alongwith writ petition, disclosed his real earnings.

In the light of the same, the amount of costs cannot be said to be exorbitant and since by imposing the costs, the husband is afforded with an opportunity to file his written statement, the impugned order is upheld, the writ petition No.6115/2022 is dismissed.

**( BHARATI H. DANGRE, J.)**