

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

915 CRIMINAL WRIT PETITION NO.709 OF 2022

**SAHDEO DHARMRAJ NIKAM
VERSUS
CHANDRAKALA W/O SAHDEO NIKAM**

Mr.Yogesh H. Jadhav, Advocate for the petitioner.

Mr.N.B. Patekar, Advocate for sole respondent.

**CORAM : KISHORE C. SANT, J.
DATED : 30.11.2022**

PC :-

01. Heard learned Advocate for the parties. By way of this petition, the petitioner has challenged the order passed by the learned Additional Sessions Judge, Newasa dated 22.03.2021 by which the learned Sessions Judge has enhanced the amount of maintenance from Rs.1000/- to Rs.2500/-. The learned Trial Court had granted maintenance of Rs.1000/- per month. The petitioner fairly accepts that he had not challenged order passed by the learned Trial Court and thus he has accepted the liability to maintain wife. His only grievance is about amount of maintenance. He submits that he does not have sufficient income to pay this much maintenance amount. He submits that there is no proof of income on record. At the same time he has also not adduced any evidence to prove his income. The learned Sessions Judge,

therefore, in para 10 has rightly considered that by considering required amount for livelihood and obligations, an amount of Rs.2500/- would be just and proper.

02. This Court finds no perversity or illegality in the order. Considering that, the maintenance amount of Rs.2500/- per month cannot be said to be exorbitant or unreasonable. Hence, there is no merit in the petition. Same stands dismissed and disposed off accordingly.

[KISHORE C. SANT, J.]