

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1048 OF 2022

Sneha W/o. Shashikant @ Pramod Kamble and Anr. ...Petitioners

Versus

Shashikant @ Pramod Narayan Kamble

...Respondent

Mr R.B. Deshmukh, Advocate for Petitioners

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 20th AUGUST, 2022

PER COURT :

1. The petitioners are challenging the order passed by the Judge, Family Court, Latur in Petition No. E-34/2020 dated 15th July, 2022.
2. Heard Mr R.B. Deshmukh, learned counsel for the petitioner. He submitted that the petitioner/wife has applied to the Family Court for issuance of summons to the Chief Branch Manager, Bank of Baroda, Branch Colaba, Mumbai in order to bring on record certain benefits accrued to her husband which are not shown in the salary certificate. That application was turned down by the Family Court. The order is illegal. It has caused injustice. It is for the petitioner to rebut the salary certificate and contents therein by way of adducing the evidence.
3. I have gone through the impugned order passed below Exh. 75 by the Family Court, Latur dated 15.07.2022 which is under challenge. On going through the same, it is evident that the learned Judge of the Family

Court has passed reasoned order as to why it is not necessary to issue witness summons as prayed by the petitioner. On going through the impugned order, it is very much clear that respondent/husband has filed his statement of assets and liabilities as per the directions of the Hon'ble Supreme Court in case of ***Rajnesh Vs Sneha and another*** reported in ***(2021) 2 SCC 324***. It is not enough. The respondent husband has also placed on record his income tax returns, bank statement and salary certificates for the month of November, 2020, December, 2020 and May, 2022. It is also observed by the learned Judge of the Family Court that the salary certificates issued by the Bank of Boaroda which is a nationalized bank and it is difficult to accept that incorrect salary certificates are issued.

4. I do not find any error on the part of the learned Judge of the Family Court while rejecting the application. No merit in the petition.

ORDER

- (i) Criminal Writ Petition stands dismissed.
- (ii) No order as to costs.

[SHRIKANT D. KULKARNI, J.]

mta