

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

WRIT PETITION NO. 12279 OF 2022

Amit Sonyabapu Misal .. Petitioner

Versus

Meena Amit Misal and another .. Respondents

Shri Vinayak S. Bedre, Advocate for the Petitioner.

**CORAM : SANDEEP V. MARNE, J.
DATE : 07TH DECEMBER, 2022.**

FINAL ORDER :

. By this petition, petitioner challenges order dated 02nd September, 2022 passed by the Family Court, Ahmednagar awarding interim maintenance of Rs. 5,000/- per month to the wife and Rs. 2,500/- per month for son.

2. Petitioner admittedly is employed as Junior Clerk (in the impugned order the designation is erroneously stated as Labourer) in the Ahmednagar Municipal Corporation. His gross salary is Rs. 33,795/-. Though the petitioner has sought to put pretext of payment of EMI and medical expenditure, in my view, the same would have little bearing on the liability to maintain wife and more particularly the son. The petitioner has not been able to prove that wife is earning any income and on the contrary his monthly income of Rs. 33,795/- has been proved. In these circumstances, it cannot be stated that any error is committed by

the Family Court in awarding interim maintenance of Rs. 5,000/- per month to the wife and Rs. 2,500/- per month to the son.

3. Petition is devoid of merits and same is dismissed without any orders as to the costs.

[SANDEEP V. MARNE, J.]

bsb/Dec. 22