

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 952 OF 2022

Chetan s/o Nandkishor Tiwari

..VS..

Aarti w/o Chetan Tiwari

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Shankar Borkute, Advocate for the petitioner.

CORAM : ROHIT B. DEO, J.

DATED : 07/03/2022.

Heard.

2. The challenge is to the order dated 01.12.2020 rendered by the learned Judge, Family Court-4, Nagpur, whereby the petitioner-husband is directed to pay the respondent-wife monthly interim maintenance of Rs.5,000/- (Rupees Five Thousand Only).

3. While the submission is that the interim maintenance is disproportionate to the income of the husband, I note that the learned Judge of the Family Court has assumed the monthly income to be Rs.20,000/- (Rupees Twenty Thousand only), since admittedly, the husband is a businessman and operates a Photocopy Center.

4. It is conceded by the learned Counsel for the Husband that the Income Tax Returns are not place on record. Be that as it may, some leeway must be granted to the Courts while deciding the quantum of interim maintenance. There cannot be a mathematical formula.

5. In this view of the matter, I see no reason to interfere with the order of the interim maintenance.

6. The petition is without substance and is dismissed.

7. The Registrar (Judicial), shall forward the copy of this order to the learned Judge of the Family Court, Nagpur, within the next 7 days.

JUDGE

Trupti