

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

CRIMINAL WRIT PETITION NO. 573 OF 2013

PETITIONER: Vishwas Sakharam Raibole,
aged 58 years, Occ. Service,
R/o. Opposite Takarkhed Naka, Dr. Babasaheb
Ambedkar Square, Anjangaon Surji,
Dist. Amravati

...VERSUS...

RESPONDENT: Mrs. Sindhu Vishwas Raibole,
aged 36 years, Occ. Tailoring,
R/o. Lehegaon, Tah. Daryapur,
Dist. Amravati.

Mr. Ghatte, Advocate h/f Mr. D. Mudgale, Advocate for petitioners.
Mr. R.D.Wakode, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.
DATE : 05/01/2022.

1] Heard Mr. Ghatte, learned counsel for the petitioner on behalf of Mr. Mudgale and Mr. Wakode, learned counsel for the respondent.

2] The petition challenges the order dated 18.8.2010 passed by the learned Judicial Magistrate First Class, Daryapur, in Misc. Criminal Application No. 140/2008, under the provisions of the Protection of Women from Domestic Violence Act, whereby a

maintenance of Rs. 700/- was granted to the respondent-wife and the judgment in revision by the learned revisional Court dated 12.2.2013, confirming the same, by dismissing the revision.

3] Mr. Gatte, learned counsel for the petitioner submits that there is no material on record to indicate the satisfaction of the Court for arriving at a finding for grant of maintenance to the respondent, which is also the position in the judgment delivered by the learned Sessions Court and therefore, they ought to be set aside.

4] Learned counsel for the Respondent submits that the material on record has been rightly appreciated and the grant of maintenance is justified.

5] The quantum of maintenance granted is only a sum of Rs. 700/- for which the judgment of the trial Court records reasons in para Nos. 11, 12 and 13, which has been confirmed by the revisional Court by a reasoned order which is reflected by perusal of para Nos. 4 and 5, considering which I do not see that this is a fit case to interfere in view of the quantum of maintenance granted.

The petition is therefore without any merit and is accordingly dismissed.

6] The Rule is discharged. No costs.

JUDGE

Rvjalit