

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

CRIMINAL WRIT PETITION NO. 56 OF 2022

Bhagyashri w/o Sudarshan Damre, Aged
about : 27 years, Occ. Nil, R/o Flat No.
8, Plot No.88, Anand Appt., Shankar
Nagar, Nagpur – 441110

... **PETITIONER**

VERSUS

Sudarshan s/o Dayaram Damre,
aged about 29 years, Occ. Govt.
Servant R/o Flat No. 201, A-
Wing, Vanashree Appt, I.T. Park
Road, Gayatri Nagar, Nagpur.

sudarshandamre@gmail.com

... **RESPONDENT**

Shri P.M. Sinha, Advocate for the petitioner.
Shri K.R. Trivedi, Advocate for the respondent.

CORAM : **VINAY JOSHI, J.**
DATED. : **30.06.2022.**

ORAL JUDGMENT :

RULE. Rule is made returnable forthwith.

2. Heard finally by consent of both the parties.

3. The petitioner-lady has called in question the order of rejection of interim maintenance dated 08.11.2021 passed by the Family Court in Petition No.E-485 of 2021. The Trial Court has declined to grant interim maintenance by holding that the petitioner-lady was earning and thus, she cannot be said to be unable to maintain herself. The respondent-husband is having permanent job from which he is earning salary to the tune of Rs.59,000/- per month.

4. Perused the entire record and particularly the documents relating to the income of the parties. I have suggested to both sides that this being an interim stage, the matter can be worked out without going to the merits by paying certain amount of maintenance to the wife during the pendency of main petition. At this juncture, the learned Counsel for the respondent upon instructions would submit that without prejudice to the rights of

husband, he is ready to pay monthly amount of Rs.7500/- per month towards the interim maintenance to the wife from today till the disposal of main petition by Family Court. In view of above, impugned order dated 08.11.2021 passed by the Family Court on Exhibit 16 is quashed and set aside. The respondent husband is directed to pay interim maintenance at the rate of Rs.7500/- from 1st July, 2022 onward till final disposal of main petition by Family Court. It is clarified that this Court has not considered the merits of the case. The Family Court to make an endeavor to decide the case expeditiously and as far as possible within a period of 6 months from the date of receipt of intimation.

5. The petition stands disposed of in the aforestated terms.

(VINAY JOSHI, J.)

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