

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO. 8505/2018

PRASHANT S/O AMARJI WANJARI ...VS... SONALI W/O PRASHANT WANJARI

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Dr. Renuka S. Sirpurkar, Advocate for the petitioner
Mr. Rajnish Vyas, Advocate with Mr. V.M. Vishwarupe, Advocate
for the respondent

CORAM : AVINASH G. GHAROTE, J.

DATED : 06/10/2022

Heard.

2. It is not disputed by the learned Counsel for the respondent, that as on the date of passing of the order dated 04.01.2018 (page 45), the respondent-wife was working, however, the material to that effect was not placed on record which has resulted in passing of the interim order. In view of this, the same cannot be sustained and the matter is remanded back to the learned Court below for deciding the application afresh after considering the quantum of salary being drawn by the respondent at that point of time.

3. In view of the above, the order dated 05.03.2018, which is consequential to the order dated 04.01.2018, would also not survive. Accordingly, the writ petition is allowed. No costs.

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JUDGE