

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

43 CRIMINAL WRIT PETITION NO.1031 OF 2022

**SUNITA ANAND HIREMATH AND ANOTHER
VERSUS
ANAND JAYPRAKASH HIREMATH**

Mr.B.L. Sagar Killarikar, Advocate for the petitioners.

Mr.R.P. Mote, Advocate for sole respondent.

**CORAM : KISHORE C. SANT, J.
DATED : 15.02.2023**

PC :-

01. The petition is filed against order directing the husband to pay interim maintenance dated 28.03.2022 passed by the learned Judge, Family Court, Jalna in Petition No. E-191 of 2021. The main ground of the petitioner-wife is that her earning is Rs.70,000/- per year, which is wrongly taken as Rs.70,000/- per month by the learned Judge while passing the order. It is submitted that it will cause prejudice to her while determining the amount of maintenance. It is submitted that since wife's income is taken to be Rs.70,000/- per month, no maintenance is awarded to her and maintenance is awarded only to the son. Thus, the prejudice that is caused is clear on record.

02. Since it was only an order of interim maintenance, this Court deems it fit not to interfere with the interim order. However, the petitioners are free to point out the income of wife to the Court while passing final order in Petition No. E-191 of 2021. Needless to say that the Court will always be open to such statements and corrections.

03. With these observations the writ petition is disposed off.

04. It is expected that the learned Judge shall make endeavour to dispose off the main proceeding bearing Petition No. E-191 of 2021 pending before him as early as possible and preferably within six months from today.

[KISHORE C. SANT, J.]