IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO.299 OF 2018

Nitin S/o Shantaram Kaisai
Age : 35 years, Occu: Service as Conductor
R/o Near Water Tank, Maruti Temple
Mohadi, Dhule Tq. & Dist. Dhule ...Petitioner

VERSUS

1. Sau Surekha W/o Nitin Kaisai
   Age : 33 years, Occu: Household,

2. Vashi Nitin Kaisai
   Age : 3 years (Minor), Occu: Nil,
   U/g of respondent no.1
   Both R/o Plot No.6, Sundaranch Colony,
   Sakri Road, Near Agrasen School, Dhule
   Tq & Dist Dhule. ...Respondents

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Mr. V.P. Raje, Advocate for the petitioner.
Mr. Sartaj H. Pathan h/f Ms. S.T. Kazi, Advocate for the respondents.

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CORAM : S.G. MEHARE, J.

DATED : FEBRUARY 08, 2023

ORAL JUDGMENT:-

1. Rule. Rule made returnable forthwith. Heard finally with the consent of parties.

2. This revision takes exception to the judgment and order of the learned Judge, Family Court, Dhule in Petition No. E-18/2018 dated 08.10.2018.

3. The husband has challenged the quantum of maintenance. It has been vehemently argued that the applicant gets a salary of Rs.11,000/- per month. He resides at Vasai. In remaining Rs.5,000/-, it is difficult for him to live the life. Therefore, considering the standard of living and source of income, the maintenance awarded to the respondents at the rate of Rs.3,000/- per month each may be reduced to Rs.2,000/- per month each. He further argued that this material aspect has not been considered by the learned Judge, Family Court, Dhule. The applicant and respondents are from poor strata of the society. The applicant gets a very less salary in MSRTC. Therefore, considering this factum, the petition deserve to be allowed.

4. Per contra, learned counsel for the respondents vehemently argued that considering the sky rocketing prices of the day and no dependency upon the applicant, the quantum determined by the learned Judge, Family Court, Dhule is correct and proper.

5. Perused the impugned judgment and order. The learned Judge, Family Court, Dhule has considered the relevant aspects and granted Rs.3,000/- per month each to the respondents. The applicant is getting the salary of Rs.11,000/- per month. There is no evidence that he has dependency other than the wife and a child. Considering the inflation of the day, the awarded maintenance of Rs.3,000/- each

to the respondents appears not exaggerated. The impugned judgment and order is error free. There are no grounds to interfere with the impugned judgment and order. Hence, the revision application stands dismissed.

6. Rule is discharged.

(S.G. MEHARE, J.)

Mujaheed//