



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

WRIT PETITION NO. 15295 OF 2023

Ganesh Narayan Khairnar

.. Petitioner

Versus

Dhanashri Ganesh Khairnar

.. Respondent

Mr. L. V. Sangit, Advocate for the Petitioner.

CORAM : SHAILESH P. BRAHME, J.

DATE : 13th DECEMBER, 2023.

PER COURT :-

. Heard learned counsel for the petitioner.

2. The petitioner is assailing interim maintenance of Rs. 6,000/- (Rs. Six Thousand only) awarded by the learned Civil Judge Senior Division, Chalisgaon by order below Exh. 14 in HMP No. 361/2022. The parties are litigating for dissolution of marriage instituted by the petitioner. The respondent filed application under Section 24 of Hindu Marriage Act claiming Rs. 20,000/- (Rs. Twenty Thousand only) per month as an interim maintenance. The learned Judge considered that the petitioner is in service and having income of Rs. 60,000/- (Rs. Sixty Thousand only) per month. The respondent has liability of minor son. She has to come from Shirpur to attend the proceedings at Chalisgaon. She does not have any source of income.

3. The learned counsel for the petitioner submits that, the

respondent is resident of Chalisgaon only and there is documentary evidence to show that she has taken a false plea that she is residing at Shirpur and needs to travel from Shripur to Chalisgaon. The learned counsel refers to the notice Exh. B to make out the case that, she is resident of Chalisgaon. It is further contended that, she has initiated the proceedings under the provisions of the Protection of Women from Domestic Violence Act in the Court of Junior Magistrate First Class at Shirpur. Simultaneously, she is claiming maintenance in both the proceedings. He would further submit that, the petitioner has liability of his aged parents and the award of maintenance is taxing.

4. The petitioner is rendering services in CRPF. The respondent is maintaining a minor son. Notwithstanding, the place of residence of the respondent, the interim maintenance awarded is minimum required amount. The respondent is maintaining a child also. There is no evidence that she has independent source of income.

5. I do not find any illegality or perversity in the impugned order. A reasonable view has been taken by the learned Judge. This petition is devoid of substance.

6. The writ petition is dismissed.

(SHAILESH P. BRAHME, J.)

PS.B.