

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1776 OF 2023

Yogesh Shankar Chavan

....Petitioner

VERSUS

Sonal Yogesh Chavan

....Respondent

...

Mr. B. R. Kedar, Advocate for the Petitioner.

...

CORAM : R.M. JOSHI, J

DATE : DECEMBER 05, 2023

PER COURT :

1. Learned Counsel for the Petitioner states that Appellate Court in an Appeal filed under Section 29 of the Protection of Woman from Domestic Violence Act (for short 'D.V. Act') has entertained the change in circumstance and has passed order of enhancement of maintenance granted to wife. It is his submission that in view of Section 25 of the D.V. Act it is the jurisdiction of the Magistrate to alter the order if satisfied that there is change in circumstance. According to him, learned Appellate Court has exceeded jurisdiction and has passed order contrary to provisions of DV Act.

2. Learned Counsel for Petitioner, on instructions, states that a sum of Rs. 10,000/- directed to be paid by way of maintenance by JMFC is being recovered from the salary of the Petitioner.

3. In view of above, till next date, there would be ad-interim relief in terms of prayer clause 'C'.

4. Issue notice to the Respondent, returnable on 19th January, 2024.

(R. M. JOSHI, J.)

Malani