

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7722 OF 2023

Vaibhav Vikramsingh Bhosale

... Petitioner

V/s.

Nikita Vaibhav Bhosale

... Respondent

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KAILAS
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Mr. Himanshu Pujari, for the Petitioner.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 8, 2023

PC.:

1. Challenge in this petition under Article 227 of Constitution of India is direction to the husband to pay Rs.2,500/- towards interim maintenance from the date of application till the disposal of the petition. Additionally, the petitioner is directed to pay Rs.10,000/- towards cost of litigation.

2. Only ground raised by the petitioner is that the petitioner has no source of income and is not earning any amount. Assuming the ground raised by the petitioner is factually correct, still legal liability to pay amount of maintenance to wife is not extinguished. It is the statutory duty of husband to maintain wife, despite husband has no income. The quantum of maintenance directed by the Court is Rs.2,500/- only. Therefore, considering the quantum, no interference under Article 227 of the Constitution of India is called for.

3. The writ petition stands dismissed.

(AMIT BORKAR, J.)