

Nikita

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

WRIT PETITION NO.1289 OF 2022

Shashikant Maruti Kamble ... Petitioner
V/s.
Pradnya Shashikant Kamble and Anr. ... Respondents

Ms. Suvarna Yadav for the petitioner
Mr. Abhijit Adagule for the respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 24, 2023

P.C.:

1. The writ petition is filed by the husband challenging order dated 3rd January 2022 passed by the learned Judge, Family Court, Kolhapur below Exhibit 13 in Petition No.E 8 of 2020. The said petition arises out of an order of interim maintenance in a proceedings under Section 125 of Code of Criminal Procedure, 1973. The Family Court based on the salary certificate placed on record a finding that the income of husband is Rs.59,775/- (Rupees Fifty Nine Thousand Seven Hundred Seventy Five only). The deduction from his salary is Rs.23,287/- (Rupees Twenty Three Thousand Two Hundred Eighty Seven only), which includes EMI of housing loan. Based on the said income, the learned Family Court has granted interim maintenance of Rs.8,000/- per month to the wife and Rs.5,000/- per month to the son.

2. Considering the quantum of income indicated in the salary slip and the fact that major amount of deduction is towards EMI housing loan of husband, the amount of maintenance granted is reasonable. There is no error apparent on the face of record nor miscarriage of justice.
3. The Writ Petition is disposed of accordingly. No costs.

(AMIT BORKAR, J.)