

AGK

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

WRIT PETITION NO.9156 OF 2023

Digitally
signed by
ATUL
GANESH
KULKARNI
Date:
2023.09.15
17:10:42
+0530

Reena Maharana

... Petitioner

V/s.

Kartik Chandra Maharana

... Respondent

Mr. S.J. Mishra with Ms. Pushpa Tiwari i/by SRS Legal
for the petitioner.

Mr. Jitendra H. Oak for the respondent.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 15, 2023

PC.:

1. By the present writ petition, the petitioner/wife is seeking enhancement of maintenance on an interim application filed before retirement of the respondent/husband. The Family Court by the impugned order records a finding that the respondent/husband has retired from 31 May 2022. It is, therefore, necessary for the petitioner to file a comprehensive application seeking interim maintenance specifying the income received by the husband till 31 May 2022 and income of the husband after 31 May 2022. Based on the material produced by the wife regarding income of the husband prior to retirement and after retirement, the Family Court shall decide whether enhance the maintenance or to reject it.

2. Parties shall file their affidavits as per the judgment of the Apex Court in **Rajnesh v. Neha** reported in (2021) 2 SCC 324, including pensionary benefits received by the respondent/husband.
3. All contentions of the parties are kept open.
4. With this clarification, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)