

VRJ

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

WRIT PETITION NO.14307 OF 2016

Geeta Avdhut Sukhtankar	... Petitioner
V/s.	
Avdhut Shantaram Sukhtankar	... Respondent

Ms. Hemangi D. Pathare for the petitioner.

Mr. Hemant P. Ingle with Mr. Prashant S. Goyal for the respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 24, 2023

P.C.:

1. The petitioner/wife has filed present petition challenging judgment and order dated 4th May 2016 granting interim maintenance of Rs.7,000/- per month. In 2023 considering rate of inflation, the petitioner would be entitled for higher amount of maintenance. Even though the criteria in the impugned order is accepted, since the parties have filed affidavit of assets and liability which was absent while passing impugned order, it would be in the fitness of things that the learned Family Court, Mumbai is directed to decide the application for maintenance filed by the petitioner afresh.

2. Both the parties shall file their affidavit of assets and liabilities as per the judgment in the case of **Rajnish Vs. Neha** reported in (2021) 2 SCC 324.

3. During pendency of this application, the respondent/husband shall continue to pay amount of Rs.7,000/- per month; however, direction to pay amount of Rs.7,000/- shall not be indicated towards quantum of maintenance to be decided by the learned Family Court.
4. The writ petition is disposed of accordingly. No costs.
5. All contentions of the parties are kept open.

(AMIT BORKAR, J.)