

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

**INTERIM APPLICATION NO.589 OF 2023
IN
WRIT PETITION NO.10802 OF 2019**

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Mrs. Chaitali Brijesh Shah ..Applicant

IN THE MATTER BETWEEN

Mrs. Chaitali Brijesh Shah ..Petitioner

Versus

Mr. Brijesh Mukund Shah ..Respondent

Ms. Sangeeta Salvi a/w Kavita Yadav i/by Seema Salvi, for the
Applicant/Petitioner.

Ms. Pranita Hingmire, for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 24th MARCH, 2023

PC.

1. On 28th June, 2021, this Court has passed an ad-interim order considering the fact that the respondent/husband was seeking adjournment. As a sequel of which, this Court has directed the husband to pay day to day educational expenses at the end of every calendar month by depositing the same in the Family Court.

2. It is claimed by counsel for the applicant/petitioner that since the order is not specific as to the period from which such amount is to be paid, the Family Court on 17th September, 2022 has

passed an order thereby requesting the applicant/petitioner to seek clarification from this Court regarding effective date of payment of educational expenses.

3. The fact remains that the writ petition is yet to be decided and ad-interim direction issued by this Court on 28th June, 2021 was keeping in mind the prayer for adjournment granted in favour of the non-applicant/husband. The intent to pass order dated 28th June, 2021 was to provide educational expenses to the children at the end of every month during pendency of the petition. As far as the issue as regards payment of educational expenses with effect from 2014 or 28th June, 2021, same can be looked into at the time of deciding the petition on merit. In view of above observations, I do not see any reason ordering modification in the matter.

4. The application accordingly stands disposed of.

5. The applicant/petitioner is at liberty to agitate the said issue at the time of hearing of the petition.

[NITIN W. SAMBRE, J.]