

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAW) NO.1915/2023

IN

WRIT PETITION NO.926/2023 (D)

Sau. Archana w/o Prashant Gawande and another

...Versus...

Mahadeo s/o Fakirrao Sawke and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri C.A. Joshi, Advocate for petitioners
Ms Isha Thakre, Advocate for respondent no.1
Ms Tajwar Khan, AGP for respondent nos.2 and 3

CORAM : AVINASH G. GHAROTE, J.

DATE : 10/07/2023

1. Heard.
2. The civil application seeks modification of the order dated 15/03/2023 passed in Writ Petition No.926/2023, by which a maintenance of Rs.25,000/- per month has been granted to the respondent no.1.
3. A plea is being sought to be raised that under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, the Act of 2007" herein after) the maximum limit permissible for maintenance is Rs.10,000/- per month and therefore the amount of

maintenance @ Rs.25,000/- per month is beyond the statutory mandate. A perusal of para 3 of the order dated 15/03/2023 would indicate that the amount of Rs.25,000/- per month was granted on account of statement made by the learned counsel for the petitioner upon instructions of his client, accepting which statement, the amount of Rs.25,000/- per month has been granted. Though the Act of 2007 imposes a statutory limit, however, that does not prevent a party from agreeing to pay higher amount. The civil application is, therefore, rejected. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar