



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 104 OF 2024

Jitendra Pandurang Patil

VERSUS

Poonam Jitendra Patil and another

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Advocate for the Petitioner : Mr. Pramod P. Dhorde

Advocate for Respondents : Mr. Mangesh G. Patil

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CORAM : SHIVKUMAR DIGE, J.

DATED : 27th JUNE, 2024.

PER COURT :-

1. By this writ petition, the petitioner has challenged the judgment and order dated 15.09.2023, passed by the learned Additional Sessions Judge, Amalner, district Jalgaon in PWDVA appeal No. 1 of 2023, thereby confirming the order dated 1.2.2023 passed below Exh.4 in P.W.D.V.A. application No. 55 of 2019 by the learned Judicial Magistrate, First Class, (Court No.2), Chopda.

2. It is the contention of learned counsel for the petitioner that the respondent No.1 had filed an application for getting interim maintenance to herself and respondent No.2. Without considering the evidence on record, the trial court has granted maintenance of Rs.5000/- to respondent No.1 and Rs.3000/- to respondent No.2. The said maintenance amount granted by the trial court is on higher side and excessive.

3. It is the contention of learned counsel for respondents that while passing the impugned order the trial court as well as the appellate court have considered all aspects of the matter and on that basis the impugned order is passed. No interference is required in it.

4. I have heard both the learned counsel. Perused the impugned order. While passing the impugned order, the trial court has observed that it will take time to decide the main application filed by respondent No.1 and it is necessary to give her interim maintenance. The trial court has further observed that the prices of the essential commodities as on today have increased, as well as respondent No.1 needs the maintenance amount for education and medical purpose. Thus, the interim maintenance granted by the trial court is confirmed by the appellate court. I do not find any infirmity in it. In my view, the trial court has granted interim maintenance. The main maintenance application is pending. The petitioner can lead evidence in support of his contentions while hearing of main application. At this stage, it is not necessary to interfere in the impugned order and I pass the following order:-

O R D E R

Criminal writ petition is dismissed.

(SHIVKUMAR DIGE, J.)