



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

995 CRIMINAL WRIT PETITION NO. 563 OF 2023

KRUSHNA VYANKAT KONDAMGIRE

VERSUS

SHALAKA W/O. KRUSHNA KONDAMGIRE AND ANOTHER

...

Advocate for the Petitioner : Mr. Tukaram Maruti Venjane

Advocate for Respondents : Mr. Navin S. Shah h/f Mr.Natu Sharad V.

...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 23rd July, 2024.

P.C.:

1. By this writ petition, the petitioner is challenging the order dated 01.12.2022 passed by the Judge, Family Court, Latur on application below Exhibit-12 in Petition No.E-221/2021.

2. It is contention of the learned counsel for the petitioner that the trial Court has allowed the application for interim maintenance filed by the respondents and has directed the petitioner to pay interim maintenance of Rs.15,000/- per month to the respondents. The learned counsel further submitted that respondent no.1 has herself deserted the company of the petitioner. The petitioner has no financial capacity to pay Rs.15,000/- per month to the respondents. The necessary documents were produced on record before the trial Court but these are not considered, hence requested to allow the writ petition and reduce the maintenance amount.

3. It is contention of the learned counsel for the respondents that respondent no.1 stays with small son. Respondent no.1 has no source of income. She cannot maintain herself. The trial Court has considered all the documents produced on record and on that basis the impugned order is passed. No interference is called in it, hence requested to dismiss the writ petition.

4. I have heard both the learned counsel. Perused the impugned order. While passing the order, the trial Court has observed that from the documents produced on record, it shows that the petitioner is earning Rs.50,000/- per month from all sources. On that basis the trial Court has granted maintenance of Rs.9,000/- per month to respondent no.1 and Rs.6,000/- per month to respondent no.2. In my view, the trial Court has passed the well reasoned order. No interference is called in it. Moreover, the petitioner can produce evidence in support of his contention that maintenance of Rs.15,000/- is on higher side. The order is passed on the interim maintenance application. If the contentions of both the parties are kept open, it would suffice and I pass the following order :-

ORDER

- (i) Writ Petition is dismissed.
- (ii) The contentions of both the parties are kept open.

(iii) The trial Court is requested to dispose of the pending main application as early as possible and preferably within six months from receipt of copy of this order.

[SHIVKUMAR DIGE, J.]

sga