

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO. 154 OF 2024

Sachin Vinayakrao Khillare

VERSUS

Pallavi Sachin Khillare And Other

...

Advocate for Applicant : Mr. Gopal Rokade h/f Mr. S.J. Salunke

...

CORAM : S.G. MEHARE, J.

DATED : JUNE 24, 2024

PER COURT:-

1. Heard learned counsel for the applicant.
2. The applicant has impugned the order of the learned Family Court, Nanded below Exhibit-5 dated 16.03.2024 granting interim maintenance of Rs.4,000/- to wife and Rs.3,000/- each to children.
3. Learned counsel for the applicant would submit that the order directing the maintenance is exorbitant. Respondent no.1/wife is a fashion designer. She has a good income. The applicant is suffering from Avascular Necrosis (AVN). Therefore, he has difficulty in walking. He has to spend huge money over medication. However, he is in service and getting salary of Rs.58,451/- per month. He also claimed that Rs.12,500/- were deducted towards the housing loan.

4. Learned counsel for the applicant submitted that the learned Judge, Family Court has erroneously directed to pay the interim maintenance from the date of application dated 02.08.2021. He also argued that the learned Judge did not consider the facts of the case and unnecessarily burdened the applicant to pay the huge maintenance.

5. The learned Judge has observed in the impugned order that the wife/respondent no.1 is B.A. and trained in stitching. The applicant has responsibility of his widowed mother. The learned Judge has considered the requirements of the daily needs of the respondents. *Prima facie*, there was no evidence to show that respondent no.1/wife has a huge income as argued. On the contrary, the applicant has handsome salary of Rs.58,451/- per month.

6. After having gone through the application, the Court is of the view that there are no apparent errors on the face of record. The order granting interim maintenance from the date of filing of the application is legal and correct. Considering the income of the applicant and the dependency of the respondents, the applicant has to pay them the maintenance. The amount of maintenance granted by way of interim maintenance is reasonable. This is not the case to call the poor respondents before hearing the matter. The impugned order is legal, proper and correct and does not warrant interference. There are no legal issues involved in the matter. Hence, the revision

(3)

application stands dismissed at the admission stage without notice to the respondents.

(S.G. MEHARE, J.)

Mujaheed//