



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 CRIMINAL WRIT PETITION NO. 919 OF 2023

Sachin S/o Shantaram Patil
VERSUS
Dipti Sachin Patil and another

...
Advocate for the Petitioner : Mr. S. D. Hiwrekar
Advocate for Respondents : Mr. Akshay H. Bankapur
.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 6th MARCH, 2024.

PER COURT :-

1. This writ petition is directed against the order passed by the Family Court, Jalgaon in Petition No. A-30 of 2021 dated 7.6.2022 thereby directing the petitioner to pay maintenance of Rs.15,000/- per month to the respondents.

2. Learned advocate for the petitioner submitted that at that time the petitioner was having a job and getting salary of Rs.80,000/- p.m. however, he has left the said job. Therefore, now he is not able to pay that much amount to the respondents. It is further submitted that daughter of the petitioner is staying with him and thus the order passed by the trial court is not legal and correct. He submitted that the petitioner is ready to pay Rs.10,000/- per month as interim maintenance to the respondents.

3. Learned advocate for the respondents submitted that the

learned trial court has considered all facts and circumstances of the case and income of the petitioner as well. He submitted that the order passed by the Family Court is legal and correct. No interference is warranted.

4. Perused the order and the documents filed on record. For the reasons given in the impugned order, the trial court has considered the income of the petitioner and then passed the order. The amount of Rs.15,000/- granting interim maintenance to the respondents wife and son is a reasonable and correct. Therefore, no interference is warranted in the impugned order.

5. Considering all these aspects, there is no substance in the grounds of objection raised in the writ petition. The writ petition therefore, deserves to be dismissed and it is dismissed.

6. The respondents must have incurred some amount to face this writ petition, therefore, the petitioner is directed to pay Rs.10,000/- as costs of this writ petition. The said amount shall be deposited in the trial court and if it is not deposited, the respondent wife is at liberty recover the said amount.

7. The trial court is directed to dispose of the petition of maintenance as expeditiously as possible and preferably within a period of one year from today.

8. Learned advocate for the respondent wife submitted that the petitioner has deposited an amount of Rs.50,000/- in this Court. He seeks leave to withdraw that amount. Leave granted.

(SANJAY A. DESHMUKH, J.)

rlj/