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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7076 OF 2021**

Rahul Ramchandra Jadhav ... Petitioner
Vs.
Pushpalata Rahul Jadhav ... Respondent

Mr. Kalpesh U. Patil for the Petitioner.

CORAM : GAURI GODSE, J.

DATE : 22nd OCTOBER 2024

ORDER :

1. Heard learned counsel for the petitioner. This petition takes an exception to the order granting Rs.8000/- as interim maintenance in an application filed under Section 24 of the Hindu Marriage Act, 1955.
2. Learned counsel for the petitioner submits that the respondent is well educated and has a degree of D.Pharm and she has her own sufficient income of around Rs.20,000/- per month. He submits that the respondent is already granted maintenance of Rs. 2000/- per month in the application filed under the Protection of Women from Domestic Violence Act, 2005 ("DV Act"). He thus submits that the additional amount granted by the impugned order is unreasonable and the

petitioner is not liable to pay any maintenance to the respondent as she is self-sufficient.

3. I have perused the papers of the petition. There is nothing on record to indicate that the respondent has her own source of income. It is not in dispute that the minor child who is 16 years old today is residing with the respondent. Learned Judge has considered the petitioner's objection regarding respondent's earning capacity as well as the order of maintenance granted under the DV Act.

4. Learned Judge after perusing the pleadings of the parties arrived at a conclusion that the amount of Rs.2000/- granted to the respondent under the DV Act would not be sufficient as the respondent is also required to look after the minor child who is a school going child.

5. Learned Judge has also considered the expenses required for the respondent's residence and her medical expenditure as pleaded by her. In the reply filed by the petitioner, he has not disclosed his source of income, his real income and he has not disclosed any figure of his monthly income. Hence, the learned Judge has accepted the respondent's pleadings. There is no dispute about the respondent's requirement for herself and the expenses of the minor child.

6. I do not find any illegality or perversity in the reasons recorded by the learned Judge for granting monthly maintenance of Rs.8000/-. The petition is devoid of any merits. This is not a fit case to exercise powers under Article 227 of the Constitution of India.

7. Writ Petition is therefore dismissed.

[GAURI GODSE, J.]