

ADN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2197 OF 2024
IN
WRIT PETITION NO.12523 OF 2023

Sou. Anjali Virendra Bobde	...Applicant
<i>Versus</i>	
Virendra Radhakrushna Bobde	...Respondent

Mr. Somnath Thengal, *for the Applicant & Org. Respondent in Writ Petition.*

Mr. Amey Deshpande, *Advocate for the Petitioner.*

CORAM RAJESH S. PATIL, J.
DATED: 08 MAY 2024

PC:-

1. This court by an order dated 13 October 2023 directed the husband to deposit 50% of the outstanding maintenance amount.

2. The present Interim Application seeks liberty to withdraw the amount already deposited by the husband. Heard. I have gone through the contents of the interim application. I am satisfied that a case has made out to allow the wife to withdraw the amount deposited by the husband,

without prejudice to the rights and contentions of both the parties.

3. The interim Application is allowed in terms of prayer clause (a). The prayer clause (a) reads as under :

“(a) That permit the applicant to withdraw the maintenance amount with interest which is deposited by Petitioner in this Hon’ble Court as per the order dated 13.10.2023. “

4. Since Mr. Thengal has disputed the fact that the entire 50% amount of the outstanding maintenance has been deposited by the husband in this Court.

5. Liberty is granted to the husband to deposit the outstanding amount if any in this Court, within a period of four weeks from today.

6. It is admitted fact that the husband was working in the Forest Department and as of now he has retired from his service. It is also admitted fact that the husband receives a pension approximately Rs.35,000/- per month. The Trial Court granted maintenance to the wife of Rs.4000/- per month.

7. According to me, the amount of maintenance granted by the Trial Court is very meagre and in fact very

difficult for any person to survive in the present conditions with an amount of Rs.4000/- per month.

8. This Court as a matter of indulgence on 13 October 2023 had directed the husband to deposit only 50% of the maintenance.

9. The husband is now directed by this Court to deposit the balance 50% amount of maintenance.

10. Stand over to 28 June 2024. The matter to come up under the caption of “High On Board”.

11. In case, the petitioner husband does not comply with the direction as granted in the earlier paragraphs of this order, the writ petition to stand dismissed without further reference to this Court.

12. The Respondent wife is also permitted to file application before the CJSD Nashik for enhancement of the maintenance amount granted by the Court.

(RAJESH S. PATIL, J)