

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

VASANT  
ANANDRAO  
IDHOL

Digitally signed by  
VASANT  
ANANDRAO  
IDHOL  
Date: 2024.04.22  
19:46:07 +0530

WRIT PETITION NO.1323 OF 2017

Subhash L. Varadkar  
V/s.

...Petitioner

Supriya S. Varadkar

...Respondent

Mr.Vishal A. Patil for the Petitioner.

None for the Respondent.

CORAM : RAJESH S. PATIL, J.  
DATE : 19TH APRIL, 2024.

P.C. :-

1. The present Writ Petition is filed by the husband, challenging interim maintenance order passed by Civil Judge (Senior Division), Sindhudurg on 15 September 2016.

2. By the impugned order, interim maintenance of Rs.1,500/- per month was fixed by the Civil Judge (Senior Division), Sindhudurg. The said order was challenged before this Court by way of the present Writ Petition. This Court by an order

dated 17 March 2017 granted a stay to the impugned order subject to the Petitioner depositing an amount of Rs.18,000/- in this Court and the notice was issued to the Respondent / wife.

3. Mr.Patil appearing on behalf of the Petitioner submits that as of today, the Respondent is not represented by any advocate. He submits that the amount of Rs.18,000/- deposited in this Court, has not been withdrawn by the Respondent.

4. Interim maintenance fixed by the Lower Court is as low as Rs.1,500/- per month. Taking into consideration the facts narrated before me, I find no perversity in the impugned order passed by the Civil Judge (Senior Division), Sindhudurg.

5. The Writ Petition is dismissed. The Respondent / wife is granted liberty to apply to the Civil Judge (Senior Division), Sindhudurg - Oras for enhancement of maintenance amount.

6. If such application is filed, the Civil Judge (Senior Division), Sindhudurg to hear the same expeditiously.

7. As regards the amount deposited by the Petitioner in this Court, the same amount along with accrued interest to be transferred to the Registrar of the Civil Judge (Senior Division),

Sindhudurg - Oras. The said amount can be withdrawn by the Respondent / wife.

8. As regards the outstanding amount as of today, the Petitioner / husband to deposit the entire outstanding amount within four weeks from today in the Court of Civil Judge (Senior Division), Sindhudurg. The said amount is also allowed to be withdrawn by the Respondent / wife.

9. Matter, to come up on board on 10 May 2024, under the caption of "Compliance".

***(RAJESH S. PATIL, J.)***