

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1471 OF 2024

Raju Bajrani Jaiswar

.. Petitioner

Versus

Sadhana Raju Jaiswar

.. Respondent

-
- Mr. Vijay Kurle, Advocate for Petitioner.
 - Mr. S.R. Dubey, Advocate for Respondent.
-

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 07, 2024.

P.C.:

1. I have heard Mr. Kurle, learned Advocate for the Petitioner and Mr. Dubey, learned Advocate for the Respondent.

2. The order impugned before me is dated 12.07.2023 granting interim maintenance from the date of Application. The principal Petition is pending before the Family Court between the parties. There are other interlocutory Applications also filed by the parties. The parties to the proceedings have one issue i.e. one 9 year old daughter.

3. I have impressed upon Mr. Kurle that until the proceedings are decided, the interim order will have to be complied. Mr. Kurle has argued the reasons as to why the said interim order is harsh and difficult to comply with in its entirety in view of the dependency of his parents on the Petitioner as also he being required to care for one brother who is mentally retarded. He has fairly informed the Court

that after all deductions he gets a take home salary of approximately Rs.38,000/-.

4. Mr. Dubey incidentally refutes the submissions made by Mr. Kurle. His client is present in the Court and after interaction with his client it appears that the Respondent is not inclined for any reconciliation. The impugned order therefore needs to be complied with.

5. I have impressed upon both the learned Advocates to convince their clients to consider a possibility of an amicable settlement, if it is possible, failing which this Court shall undoubtedly pass appropriate orders on the next adjourned date.

6. In the meanwhile, Petitioner is impressed upon by this Court to inform the Court on the next adjourned date as to within how much time he will be in a position to wipe out the outstanding amounts. This Court shall consider granting installments also to the Petitioner. However, Petitioner is directed by this Court that from this month onwards, as an interim measure an amount of Rs.12,000/- per month shall be paid by him to the Respondent until final orders are passed in the pending Marriage Petition before the Trial Court.

7. Considering the submissions made by the learned Advocates, this Writ Petition shall be heard in Chamber on **15th February, 2024 at 04.30 p.m.**

8. Both parties are directed to remain present, if possible, on the next adjourned date so that this Court will interact with the parties in the presence of their respective Advocates.

9. Affidavit-in-Reply / pleadings, if any, required to be filed shall be filed by the parties on or before the next date.

[MILIND N. JADHAV, J.]

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