

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2328 OF 2024

Saanvi Sameer Gangan

..... Petitioner

VERSUS

Sameer Suresh Gangan

..... Respondent

Mr. Sujay Gawade a/w. Ms.Sumedha Dhopate, Mudita Pawar, Ms.Manasi Sawant, Ms.Rekha Keni i/b. Shree & Co. for the Petitioner.

Mr.Sachin Mhatre, a/w. Ms.Sharmili Mhatre, Ms.Ishita Kamath i/b. Mhatre Law Associates for the Respondent.

CORAM: RAJESH S. PATIL, J.

DATE : 12 APRIL, 2024

P.C. :-

Mr. Mhatre, learned advocate appearing for the respondent submits that his client has complied with the directions given in the order dated 28 July, 2023 passed by the Family Court, Mumbai. He submits that his client is not able to meet the minor son from the year 2017.

2. Mr.Gawade, learned counsel appearing for the petitioner

submits that the amount as fixed by the Family Court for the interim maintenance is at a lower side i.e. Rs.7,500/- each per month to the wife and a son. He submits that the respondent is working in a P.W.D. Department as an architect and draws a huge salary. He submits that the said amount of Rs.7,500/- each per month should be atleast Rs.30,000/- per month for each wife and the son and Rs.15,000/- towards alternate accommodation and also Rs.50,000/- towards the deposit for leave and licence and Rs.15,000/- towards cost of the litigation.

3. He submits that as the ratio laid down by the Supreme Court in case of *Rajnish vs. Neha* reported in *(2021) 2 SCC 324*, the interim maintenance has to be from the date of the application. He submits that in the impugned judgment and order, the Court has fixed the interim maintenance from the date of the passing of the order. Therefore, there is perversity in the impugned judgment and order.

4. Both the learned counsel agree that the husband would be able to meet the minor son on 15 April, 2024 at 6:30 p.m. at Oberoi Mall, 3rd Floor, Food Court, Near McDonald's Shop, Goregaon, East.

5. The petitioner wife will be accompanying the minor son on the said date and will allow the husband to meet the minor. Since the respondent husband is meeting his son after a long gap, he is allowed to be with the son for half an hour on 15 April, 2024.

6. Stand over to **18 April, 2024**. Matter to come up under the caption of 'directions'.

[RAJESH S. PATIL, J.]