

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3391 OF 2024

Bhavesh Mahabala Shetty

..... Petitioner

VERSUS

Sneha Bhavesh Shetty & Anr.

..... Respondents

Mr.Omprakash Pandey a/w. Ms.Pramila Prajapati for the
Petitioner.

Ms. V.R.Raje, A.G.P. for the State – Respondent No.2.

CORAM: RAJESH S. PATIL, J.

DATE : 7 MARCH, 2024

P.C. :-

Writ petition is filed by the husband challenging the interim maintenance amount granted by the Family Court at Mumbai at the rate of Rs.30,000/- per month to the wife.

2. By the impugned order dated 1 December, 2023, the Family Court directed the husband to pay the interim maintenance of Rs.30,000/- per month from 25 May, 2022 till the disposal of the main petition.

3. The Family Court has come to this finding as it has been specifically mentioned in the impugned order in paragraph (4) that the husband was working as a Senior Manager with National Payments Corporation of India and was receiving monthly salary of Rs.1,54,974/-.

4. A perusal of his bank statement shows that there was balance of around Rs.6,00,000/- in the month of June 2023 and it was also noted that the income tax returns of the husband for the Assessment Year 2023-24 shows gross salary exceeding Rs.29,00,000/- per annum. So also, it is also noted that the submissions made by the wife that the husband is owning Audi Q5 car and an adventurous bike Benalli TRK 502. So also, he owns one flat at Mira Road and one flat at Goregaon. He also owns land in Mangalore and a Villa in Mangalore.

5. I have heard Mr.Pandey. He submits that the Court has considered the income of the husband but has not considered the income of the wife while arrived at the figure of Rs.30,000/-

payable as interim maintenance amount.

6. I have considered the impugned order and the facts mentioned in the impugned order.

7. Mr.Pandey on instructions from his client submits that his client is ready to deposit the entire outstanding amount i.e. Rs.6,60,000/- in this Court within a period of four weeks from today.

8. Stand over to **4 April, 2024**.

[RAJESH S. PATIL, J.]