



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3600 OF 2024

Sudhir Suresh Chavan

... Petitioner.

Versus

Priyanka Sudhir Chavan

... Respondent.

Mr. Ramdas Shelke, for the Petitioner.

Coram : Sharmila U. Deshmukh, J.

Date : March 12, 2024.

P. C. :

1. Heard.
2. By this Petition, the challenge is to the order of grant of maintenance passed by the trial Court in an Application filed under Section 24 of the Hindu Marriage Act, 1955. Learned counsel appearing for the Petitioner submits that in the DV proceedings, a sum of Rs.17,000/- including rent was granted as maintenance to the Respondent-wife and the minor child, which aspect has not been considered by the trial Court while deciding the Application under Section 24 of the Hindu Marriage Act, 1955.
3. Perusal of the impugned order indicates that there is no discussion on the issue of maintenance which has been granted under

the DV Act. The impugned order does not take into consideration the affidavit of disclosure of assets and liabilities of the parties and there are no findings on the comparative incomes, dependents, expenses etc., before arriving at the quantum of maintenance.

4. Issue notice to the Respondent, returnable after period of three weeks. In addition to Court notice, the Petitioner to serve the Respondent by private notice and to file affidavit of service before the next date.

5. Stand over to **2nd April, 2024**.

6. *Prima facie*, it appears that the Respondent-wife is in receipt of maintenance for herself and child including the rent and the same was not considered while granting the maintenance by the Family Court. In view thereof, the impugned order dated 5th January, 2024 is stayed till the next date.

[Sharmila U. Deshmukh, J.]