

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 3931 OF 2024

Vaibhav Suryakant Joshi

...Petitioner

Versus

Aarti Vaibhav Joshi

...Respondent

Adv. Gourav Nankar I/B. Adv. Aditya Raktade for the Petitioner.

CORAM : RAJESH S. PATIL, J.

DATED : 19 MARCH 2024

PC.:

1. This writ petition is filed by the husband challenging the interim maintenance order passed by the Family Court at Kolhapur. As per the impugned order the husband is supposed to pay interim maintenance at the rate of Rs.10,000/- per month from the date of the application till the decision of the main petition.

2. Mr. Nankar holding for Mr. Aditya Raktade, submits that as of today the petitioner husband has not paid any amount towards interim maintenance from the date of the application.

3. I have heard Mr. Nankar and have gone the documents on record. As of today the outstanding amount is Rs.3,30,000/- towards the interim maintenance payable by the husband to the wife. The petitioner husband is working in the Bank of Maharashtra as Deputy Branch Manager. According to Mr. Nankar, the salary of the petitioner husband is Rs.56,000/- per month.

4. To show his bona fide, the petitioner is hereby directed to deposit the entire outstanding amount as of today i.e., Rs.3,30,000/- within a period of three weeks from today before the Family Court at Kolhapur.

5. Subject to petitioner husband depositing the entire outstanding amount towards interim maintenance, the department will issue notice to the respondent, returnable after 3 weeks thereafter.

6. Apart from Court notice, petitioner is permitted to serve the respondent by advocate's private notice, by all permissible modes of serve and file affidavit of service before the next date of the hearing.

7. If the outstanding amount is not deposited within a

period of three weeks from today, the writ petition to stand dismissed without further reference to this Court. So also the amount is deposited within a period of two weeks, there will ad-interim stay till the next date of the hearing in terms of prayer clause (b). The prayer clause (b) reads as under :-

“b. Pending herein and final disposal of the present Writ Petition, this Hon'ble Court be please to stay the effect and implementation of the impugned order and judgment dated 23/01/2024 passed by Family Court, Kolhapur below EXHIBIT 6 in Marriage Petition A no. 105 of 2021.”

8. Stand over to 16 April 2024.
9. The Petitioner and respondent is directed to remain present on the next date of the hearing.

(RAJESH S. PATIL, J.)