

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5316 OF 2024

Bhushan Govind Mohite

..... Petitioner

VERSUS

Shraddha Bhushan Mohite

..... Respondent

Mr.Virendra V. Pethe for the Petitioner.

CORAM: RAJESH S. PATIL, J.

DATE : 10 APRIL, 2024

P.C. :-

This petition is filed by the husband challenging an interim maintenance order passed by the Family Court at Thane, thereby directing the husband to pay a sum of Rs.20,000/- per month to the wife towards her interim maintenance from the date of filing of the application i.e. 10 July, 2023.

2. Mr.Pethe, learned counsel for the petitioner submits that outstanding amount as of today is Rs.1,80,000/-. He submits that the respondent/wife is a doctor by profession. He submits that during pendency of the proceedings before the Family Court, the wife has voluntarily handed over the custody of the minor

daughter to the husband. He submits that the husband was bearing all expenses of the minor daughter.

3. In order to show his *bona fide*, the petitioner/husband is directed to deposit the arrears of Rs.1,80,000/- with the Family Court, Thane within a period of two weeks from today.

4. Subject to the petitioner depositing the outstanding amount, issue notice to the respondent, returnable on **30 April, 2024**. Humdast is permitted.

5. Apart from the court notice, the petitioner is also permitted to serve the respondent by private service, by all permissible modes of service and file affidavit of service before the next date of the hearing.

6. Subject to the petitioner depositing the money, there will be *ad-interim* relief in terms of prayer clause (b). The said prayer clause (b) reads as under :-

(b) Pending the final hearing and disposal of the present Writ Petition the impugned order dated 30.12.2023 passed below below Exhibit 18 in Marriage Petition No. A-388 of 2022 filed by the Respondent herein (original Applicant) before the Ld. Family Court, Thane (Court No.1) may be stayed.

7. Without prejudice to the rights and contentions of both the parties, the petitioner to continue to deposit in each succeeding month, the interim maintenance as directed by the impugned order till further orders.

8. If the petitioner fails to comply with the directions given above, the protection granted by this Court will automatically stands vacated.

9. On the next date of the hearing, both the parties to remain present physically or through video conferencing.

[RAJESH S. PATIL, J.]