

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8452 OF 2024

Shashank Ajit Mahajan

.....Petitioner

Vs.

Akshata Shashank Mahajan

.....Respondent

Ms. Anita Y. Murgude for the petitioner

CORAM : GAURI GODSE, J.

DATE : 2nd SEPTEMBER 2024

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ORDER:

1. Heard learned counsel for the petitioner. Learned counsel for the petitioner submits that the petitioner is not disputing the payment of maintenance for the child. She further submits that the petitioner is aggrieved by the directions for making payment towards equated monthly installment ('EMI') for the flat jointly owned by the parties. She submits that respondent has kept the flat locked and the petitioner is directed to make payment towards the EMI. She submits that the respondent has failed to disclose her bank statements. She thus submits that the respondent has her own source of income and on

failure to disclose her bank accounts, her claim for maintenance for herself is rightly rejected by the impugned order. She further submits that without recording any specific reasons, the petitioner is directed to pay entire payment towards EMI to the jointly owned flat.

2. Learned counsel for the petitioner on instructions submits that the petitioner is agreeable to amicably settle the dispute with the respondent. She further submits that as per the impugned order, the total arrears towards maintenance for the child is Rs. 12,00,000/-. She on instructions submits that the petitioner shall pay an amount of Rs. 2,00,000/- towards the arrears within one week by depositing the amount in the Family Court. She further submits that remaining arrears would be paid in five equal installments within five months from October 2024.

3. This Court already had issued notice to the respondent. Though served, none appears for the respondent. Hence, office is directed to issue fresh notice to the respondent alongwith copy of this order indicating that the petition will be disposed of finally at admission stage. Notice is made returnable on 21st October 2024.

4. By way of interim arrangement, the petitioner is permitted to pay

the arrears towards the maintenance for the child as recorded above.

5. In addition to Court notice, learned advocate for the petitioner to serve the respondent by private notice alongwith copy of this order and file affidavit of service before the next date.

[GAURI GODSE, J.]