

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.753 OF 2020  
IN  
FAMILY COURT APPEAL NO.13 OF 2020**

Mrs Piyush Aniket Tupe

..Applicant/Appellant

***Versus***

Aniket Subhash Tupe

..Respondent

**WITH**

**INTERIM APPLICATION NO.3791 OF 2020  
IN  
FAMILY COURT APPEAL NO.86 OF 2022  
WITH  
INTERIM APPLICATION NO.1737 OF 2024  
IN  
FAMILY COURT APPEAL NO.13 OF 2020**

Mr.Aniket Subhash Tupe

..Applicant/Appellant

Versus

Mrs.Piyush Aniket Tupe

..Respondent

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***Mr.Archit Jayakar, Shivani Prasad i/b Jayakar & Partners***, Advocates for the Appellant in FCA.13/20 and for the Applicant in IA.753 OF 2020 and for the Respondent in IA.1737 of 2024, IA(ST).3396/24, fca 86/24,IA.3791/20.

***Mr.Abhijit Sarwate***, with Harden K. Aidhen, Advocates for the Respondent.

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**CORAM : B. P. COLABAWALLA &  
SOMASEKHAR SUNDARESAN, JJ.**  
**DATE : MAY 3, 2024**

**P.C.**

Interim Application No.753 of 2020 is filed by the wife seeking enhancement of maintenance. Interim Application No.3791 of 2020 is filed by the husband seeking a stay of permanent maintenance. Interim Application No.1737 of 2020 is filed by the husband for perjury.

2           When these matters had come up earlier, we were informed that the husband was in arrears of maintenance, and therefore, we had made it clear to Mr. Sarwate that we will not hear these matters until the arrears are cleared. Today we are informed that all the arrears are cleared, and there is no dispute on that count.

3           Today we are unable to take up the matters because of paucity of time. At the same time we cannot foist the husband to pay the maintenance as ordered by the Family Court in its entirety. We think that till we take up these matters on the next date, without prejudice to the rights and contentions of the Respondent-husband as well as that of the Appellant-wife, the Respondent-husband shall pay maintenance of Rs.50,000/- p.m. This payment is subject to the outcome of the above applications and will be adjusted depending on whether the amount is

enhanced or reduced from the current maintenance of Rs.1,10,000/-.

4           We now place the above matters on Board on 14<sup>th</sup> June, 2024 “for directions”.

5           Since this is only a *pro-tem* arrangement, the parties are at liberty to mention the matters and have it fixed for hearing.

6           This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[SOMASEKHAR SUNDARESAN, J.]      [ B. P. COLABAWALLA, J.]**