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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3120 OF 2024**

Sachin Mohan Khuntale

... Petitioner

vs.

Shubhangi Sachin Khuntale and Anr

... Respondents

Mr. Sagar Sonawane i/b. Mr. Umesh H. Pawar, for Petitioner.

CORAM : GAURI GODSE, J.

DATED : 25th JULY 2024

ORDER :-

1. This petition challenges the concurrent orders passed under the Protection of Women from Domestic Violence Act, 2005 ('DV Act'), directing the petitioner to pay an amount of Rs. 2,000/- to the wife and Rs. 1,000/- to the son. The said amount is in addition to the maintenance granted under Section 125 of the Criminal Procedure Code, 1973. The petitioner is thus, liable to pay a total amount of Rs. 10,500/- towards maintenance for respondent nos. 1 and 2. The respondents have filed an application under DV Act seeking an amount of Rs.10,000/- towards monthly maintenance to respondent no.1 and Rs. 5,000/- towards monthly maintenance to respondent no.2 i.e. the minor son.

2. On perusal of the papers, I am of the prima-facie opinion that the amount granted is a minimal amount. Considering the documents on record and the contents of the application, seeking an amount of Rs. 10,000/- and Rs. 5,000/- for the respondents respectively, I am inclined to issue suo moto notice for enhancement. Hence, issue suo moto notice to the petitioner seeking an explanation as to why the amount already granted should not be enhanced.

3. Office is directed to issue notice to respondent no.1, for final disposal at admission stage. Office is directed to issue notice alongwith copy of this order.

4. Both the notices are made returnable on 7th October 2024.

5. Necessary reply to be filed by the petitioner before the returnable date. In addition to court notice, the petitioner shall serve respondent no.1 by private notice alongwith a copy of this order and file affidavit of service before the next date.

(GAURI GODSE, J.)