



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.1021/2024
Smt. Radhika V Anup

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs. S.V. Sirpurkar, Advocate for petitioner.
Ms. A.S. Sharma, Advocate for respondent.

CORAM : N.R. Borkar, J.
DATE : 12-12-2024.

The additional affidavit dated 12.12.2024 tendered by the learned Counsel for the petitioner is taken on record.

2. This petition takes exception to the order dated 12-12-2023 passed by the learned Family Court, Nagpur below Exhibit-18 in Petition No.A 1377/2021.

3. The respondent herein (husband) has filed the petition for divorce against the present petitioner (wife). The petitioner had filed an application under Section 24 of the Hindu Marriage Act and sought maintenance *pendente lite* at the rate of Rs.1,00,000/- per month.

4. By the order impugned, the learned Family Court has partly allowed the said application and directed the respondent to pay the maintenance *pendente lite* at the rate of Rs. 10,000/- per month. The petitioner, being dissatisfied with the quantum of

maintenance granted by the learned Family Court has filed the present petition.

5. I have heard the learned Counsel for the petitioner and the learned Counsel for the respondent.

6. It is well settled that quantum of maintenance should be commensurate to the standard of living of the parties. The learned Family Court should have examined this aspect on the basis of documents filed on record by the parties. The learned Family Court has, however, not done the said exercise while fixing the quantum of maintenance.

7. In that view of the matter, the order impugned is set aside. The learned Family Court shall decide the application filed by the present petitioner for maintenance *pendente lite*, afresh.

8. The petition is disposed of in the aforesaid terms.

(N.R. Borkar, J.)