



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

CRIMINAL WRIT PETITION NO. 546 OF 2024

Chunnilal S/o. Hemraj Patle

Vs.

Harshalata @ Harshila D/o. Chunnilal Patle

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

Court's or Judge's orders

Mr. Nitin Vyawahare, Advocate for the Petitioner.

Mr. Abhinav R. Saxena. Advocate for the Respondent.

CORAM : G. A. SANAP, J.

DATED : 18th NOVEMBER, 2024.

1. Heard learned advocates for the parties. Perused the record and proceedings.

2. In this petition, challenge is to the order dated 24th May, 2024, passed by the learned Judge, Family Court, Bhandara, whereby the learned Judge partly allowed the application made by the respondent for interim maintenance. The learned Judge, as per this order, directed the petitioner to pay interim maintenance @ Rs.6,000/- per month from 3rd June, 2023 to 8th April, 2024. The learned Judge also directed the petitioner to pay educational expenses @ Rs.6,000/- per month w.e.f. 8th April, 2024.

3. It is not out of place to mention that the respondent has attained the age of majority on 8th April, 2024. Learned advocate for the petitioner submitted that, as far as the order directing the petitioner to pay the educational expenses @ Rs.6,000/- per month is concerned, the same cannot be

sustained. It is submitted that the remedy to get maintenance is provided under Section 20 of the Hindu Adoptions and Maintenance Act, 1956 (for short, “the Act of 1956”).

4. Learned advocate for the respondent submitted that the respondent would be required to take recourse to the appropriate remedy by filing an appropriate proceeding under Section 20 of the Act of 1956.

5. In view of the peculiar facts, the learned advocates for both the parties submitted that the order awarding interim maintenance @ Rs.6,000/- per month from 3rd June, 2023 to 8th April, 2024 may be maintained, and the order directing the petitioner to pay the educational expenses @ Rs.6,000/- per month w.e.f. 8th April, 2024 may be set aside.

6. In view of the above, the petition is **partly allowed**. The part of the order dated 24th May, 2024, directing the petitioner to pay the educational expenses @ Rs.6,000/- per month w.e.f. 8th April, 2024 is set aside.

7. It is made clear that the respondent is at liberty to file an appropriate proceeding for redressal of her grievance on this count provided under the law.

8. The petition stands disposed of accordingly.

(G. A. SANAP, J.)

Vijay