



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FAMILY COURT APPEAL NO. 1 OF 2010
WITH
CIVIL APPLICATION NO. 467 OF 2017
IN FCA/1/2010

WITH
FAMILY COURT APPEAL NO. 3 OF 2010

DR.AJAY DEVIDASRAO SAMBRE

VERSUS

DR.VAISHALI AJAY SAMBRE

...

Advocate for Appellant : Mr. Amol N . Kakade

Advocate for Respondent : Mr. Atharva D. Khedkar h/f
Mr. V. D. Sapkal

...

CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.

DATED : 04th AUGUST, 2025

ORDER:-

1. This Family Court Appeal arises out of the impugned judgment and order passed by learned Judge, Family Court, Aurangabad, in Petition No. C.07/2007 dated 14.12.2009, thereby awarding maintenance to the respondent-wife at the rate of 7,000/- per month. During the pendency of the present Family Court Appeal, the parties have prosecuted divorce proceedings up to the Apex Court. In Civil Appeal No. 5760 of 2022, the Apex Court has passed following order :-

“ We are of the view that the marriage is clearly dead, and there is no possibility of the appellant and the respondent cohabiting with each other. We have also examined the

impugned judgment and, are not inclined to interfere and exercise our power under Article 136 of the Constitution of India. Challenge to the decree of divorce granted by the High Court is, therefore, rejected.

On the question of permanent maintenance, we have been taken through various documents relied upon by the appellant and the respondent including the income-tax returns of the respondent. The appellant, as stated, is not earning and is residing with her father. In view of the details and particulars of the income and assets of the respondent, we are of the opinion that the respondent would pay a further sum of Rs. 30 lakhs to the appellant towards permanent alimony. The said sum would be paid in two installments of Rs. 15 lakhs each. The first installment would be paid on or before 31st January, 2023 and the second installment would be paid on or before 31st March, 2024. The appellant would be entitled to withdraw Rs. 25 lakhs deposited already made by the respondent along with the interest accrued thereon. The payment of Rs. 30 lakhs in two equal installments would be made by electronic transfer to the bank account of the appellant, details of which, would be furnished by the learned counsel for the appellant to the learned counsel for the respondent. In case the respondent does not make the payment of Rs. 30 lakhs as stipulated above, he would be liable to pay interest on the amount defaulted at the rate of 8 per cent per annum, till payment is made.

The appeal is, accordingly, partly allowed and disposed of in the above terms. In view of the present order passed by us, the proceedings relating to maintenance, if pending, would come to an end/close.

2. In view of the aforesaid order, present Family Court Appeal is disposed of as closed.

3. Pending Civil Application also stands disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

(NITIN B. SURYAWANSHI)
JUDGE

Y.S. Kulkarni