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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CRIMINAL WRIT PETITION NO. 52 OF 2020

RAVINDRA S/O. BHIMRAO SONWANE
VERSUS
SANJIVANI RAVINDRA SONWANE

Mr.Sarita Rathod h/f Mr.N.T.Tribhuwan, Advocate for the petitioner.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 14 NOVEMBER, 2025

PER COURT :

1. Heard the learned Advocate for the petitioner. The learned Advocate for the petitioner submits that the learned J.M.F.C. - 10, Aurangabad in P.W.D.V.A. No.568/2017 filed by the respondent/wife, was pleased to grant Rs.5,000/- monthly maintenance to wife Sanjivani and Rs.3,000/- per month maintenance to Shashwat from the date of death i.e. 08.08.2017. The said order was assailed by the petitioner before the learned Sessions Court in Criminal Appeal No.125/2019. The learned Sessions Judge, vide order dated 19.10.2019, has rejected the appeal with costs.

2. According to the learned Advocate for the petitioner, the petitioner placed the revenue record in respect of the joint family property before the Lower Court in order to assess the income of the petitioner. According to her, the petitioner is earning Rs.8 to 9 thousand per month. As such, it is not possible to pay maintenance amount of Rs.8,000/- to the wife and son, as directed by the learned Trial Court.

3. She has further stated that both the Courts below have not considered the aspect of income of the petitioner in proper perspective and passed the impugned order without proper reasoning. She, therefore prayed for quashing and setting aside the impugned orders.

4. I have gone through the impugned orders. The learned J.M.F.C. has passed the order on 04.04.2019, directing the petitioner to pay Rs.5000/- as maintenance to the respondent / wife and Rs.3,000/- to son Shashwat. The learned Sessions Court, vide order dated 19.10.2019 was pleased to observe in paragraph No.22 of the impugned order that Shashwat is a handicapped child and because of the conduct on the part of the petitioner/husband himself, the

respondent/wife was compelled to leave the matrimonial house alongwith the handicapped son. Even otherwise, there is no stay operating to these orders and since 2020, this petition is pending before this Court, which was neither circulated nor listed.

5. Considering all the facts stated above, I conclude that both the orders are found to be correct and proper and I am not inclined to grant any relief to the petitioner. Accordingly, the instant writ petition is dismissed. No order as to costs.

(SUSHIL M. GHODESWAR, J.)