



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 21 OF 2025

Reena Hrishikesh Chaudhari,
Age 28 Years, Occu, Pvt Service,
R/o, Ulkanagari Garkheda Parisar,
Chatrapati Sambhaji Nagar,

...APPLICANT

VERSUS

Hrishikesh Shivaji Chaudhari,
Age, 34 yrs, Occu, Software Developer,
R/o, Veritas Technoloies Panchshil Business Park,
Balewadi , Baner Pune, -411045.

...RESPONDENT

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Advocate for Applicant : Mr. Palve Pardip Keshavrao

Advocate for Respondent : Mr. Surve Hemant and Mr. Surve Kshitij H.,

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CORAM : ABHAY J. MANTRI, J.

DATE : 23.09.2025.

ORAL JUDGMENT :

1. The applicant-wife, being dissatisfied with the order dated 24.10.2024, passed by the learned Judge, Family Court, Aurangabad, below Exh. 6 in petition E-281 of 2023, whereby, granted interim maintenance to the extent of Rs. 15,000/- p.m. to her from the date of filing of the application.

2. At the outset, it appears that the applicant, the wife of the respondent, filed an application for the grant of maintenance under

Section 125 of the Code of Criminal Procedure against the respondent, wherein she filed an application for the grant of interim maintenance. After considering the material produced before her, the learned judge held that the respondent should pay the applicant interim maintenance of Rs. 15,000/-p.m.. Dissatisfied with the said order, the applicant has preferred this Revision application.

3. It is pertinent to note that the respondent is not disputing his relationship with the applicant. Similarly, he is not disputing the salary slips produced on record from June 2023 to June 2024. Also, he is not disputing that his minimum salary is Rs. 1,75,000/-. Likewise, the applicant is also working with an IT company and earning Rs. 60,000/- p.m.

4. The learned advocate for the applicant submitted that the applicant has to pay a loan installment of Rs. 40,000/- p.m. with the bank; however, she failed to pay it as per the agreement; therefore, he urged that the interim maintenance be enhanced so that she could live her life as per the status of her husband.

5. Learned Advocate for the respondent strenuously opposed the application on the ground that the pleadings of the applicant are not clear and therefore, the applicant is not entitled to enhancement of the interim maintenance amount. Apart from that, the applicant is also earning Rs. 60,000/- p.m. So he urged to dismiss the application.

6. It is pertinent to note that the learned Judge in paragraphs No. 10 to 15 of the order has considered these facts and in para 11 observed that the respondent's net income is Rs. 1,78,000/- p.m., it is observed that merely the wife is educated and working cannot itself be a ground to reject the maintenance and so awarded it. Despite the said fact, the learned family Court has granted an interim maintenance of Rs. 15,000/-. The learned Family Court has not considered the settled position of law that the applicant wife is entitled to maintenance as compared to the standard of living she enjoyed while residing with her husband, which reasonably secures her future. Furthermore, the inflationary cost of living, as well as the liability of payment of loans, and her continued reliance on maintenance, depend on the sole means of financial support of the husband. Therefore, to live her life as per life status of her husband, I am of the view that interim maintenance amount granted by the learned Family Court is too meager as admittedly the income of the husband is Rs. 1,75,000/- p.m. therefore, I am of the view that the said interim maintenance necessitates the reassessment and as such the amount is required to be enhanced to live the wife as per the status/ as per standard of living of her husband. Therefore, an interference needs to be required in the impugned order.

7. Thus, perusing the record and the impugned order, it appears that the learned Judge has erred in granting interim

maintenance to the extent of Rs. 15,000/- p.m. only. In such circumstances, the order passed by the learned Family Court, therefore, is modified to the extent of grant of interim maintenance of Rs. 40,000/-, instead of Rs. 15,000/- p.m. from the date of the application.

8. The respondent is directed to deposit the difference in arrears of the interim maintenance amount before the Family Court within eight weeks from today. i.e. The respondent is directed to deposit 50% of the arrears of the interim maintenance within four weeks from today, and the balance of 50% of the arrears of the amount of interim maintenance within four weeks thereafter. Failing that, the learned Family Court will pass an appropriate order in that regard.

9. As a result, the application is allowed accordingly and is disposed of in the above terms.

(ABHAY J. MANTRI, J.)