



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

905 CRIMINAL WRIT PETITION NO. 121 OF 2020

**VIJAY S/O. SARICHAND PAWAR
VERSUS
MANISHA W/O. VIJAY PAWAR AND OTHERS**

.....
APP for Respondents/State : Mr. Madhukar Aher
.....

**CORAM : Y.G. KHOBRAGADE, J.
DATE : 05.12.2025**

PC.:-

1. None appeared for the Petitioner. At the outset, it submitted that on 17.01.2020, the Petitioner instituted the petition challenging the judgment and order dated 14.10.2019, whereby the learned Revisional Court dismissed the revision of the present Petitioner against the judgment and order dated 23.11.2017 passed by the learned JMFC, Chalisgaon in Cri.M.A. No.113/2016. By the said order the amount of maintenance of Rs.1000/- was enhanced to Rs.2500/- to the extent of Respondent No.1 and maintenance amount of Rs.500/- was enhanced to Rs.1000/- to the extent of Respondent No.2. Since none appeared for the Petitioner, therefore, I have gone through the record.

2. The facts narrated by the present Petitioner are that his marriage with Respondent No.1 wife was held on 29.04.1997. Out of wedlock the

Respondent No.2 was born and as on today the Respondent No.2 daughter may be above 25 years of age. However, the Respondents were not maintained by the Petitioner. Therefore, a proceeding under Section 125 of the Cr.P.C. was instituted by the Respondent No.1/Wife on 04.09.1998. After conclusion of the trial, the learned JMFC passed the impugned judgment and order dated 09.10.2003 and granted maintenance of Rs.1000/- per month to the Respondent No.1/Wife and Rs.500/- per month to the Respondent No.2/daughter. However, the said amount of maintenance was not sufficient, therefore, the Respondents filed Cri. M.A. No.113/2016 and prayed for enhancement of maintenance amount. After considering the material on record as well as monthly income of the present Petitioner the learned trial Court enhanced the maintenance amount to Rs.2500/- per month in respect of Respondent No.1 and Rs.1000/- in respect of Respondent No.2/daughter. The said order was assailed by the Petitioner in Criminal Revision Application No.13/2018.

3. On 14.10.2019, the learned Revisional Court passed the impugned order and dismissed the revision of the Petitioner on the ground that as per the admission of the Petitioner he draws salary of Rs.25,313/- per month as he is serving as a Laboratory Assistant with KEM Hospital, Mumbai. The fact that the Petitioner is working as a Laboratory Assistant with the KEM

Hospital, Mumbai has not been disputed. The main ground of the Petitioner is that on 08.08.1997 the learned Family Court at Bandra, Mumbai passed an order in Petition A-2841 below Exh.12 and had granted maintenance of Rs.5000/- per month to the Respondent No.1/Wife and Rs.3500/- per month to the Respondent No.2/minor daughter. Therefore, enhancement of maintenance amount is not justified, however, no substantial grounds are set out to show that the impugned order is perverse, illegal, bad in law as the said amount of maintenance does not even cross 25% monthly income of the Petitioner/Husband. Therefore, no substantial grounds are set out to interfere with the findings recorded by the learned Revisional Court and accordingly the petition is dismissed.

[Y.G. KHOBRADE, J.]