



(1)

39-WP-4941-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

39 WRIT PETITION NO. 4941 OF 2025

Nilesh Kesharsing Patil

VERSUS

Rohini Nilesh Patil

...

Mr. Sandesh R. Patil, Advocate for the Petitioner.

Mr. C. P. Patil, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 21st APRIL 2025

PC :-

1. Heard the learned Advocate for the parties.
2. By consent of the parties, the petition is taken up for final disposal at the stage of admission.
3. The petitioner has challenged the order dated 13th January 2025 passed by the learned Civil Judge Senior Division, Jalgaon. The learned trial Judge by way impugned order, has allowed the application filed by respondent-wife under Section 24 of the Hindu Marriage Act, for maintenance. By way of impugned order, the learned trial Court has directed the petitioner-husband to pay an amount of Rs. 10,000/- per

month from the date of order to the respondent/wife.

4. The learned Advocate for the petitioner vehemently submits that before the Court, there is no evidence to show that the petitioner is earning any amount. Prior to covid-19, the petitioner was taken pupils and thereby was earning some amount. However, after covid-19, he is unemployed person and he is not getting the passion. He further submits that, it was necessary for the Court to see whether there is any evidence to show the earning of the petitioner. In the affidavit, the assets and liability, the petitioner has clearly stated that he is educated unemployed. He thus submits that the amount awarded by the trial court is exorbitant.

5. The learned Advocate for the respondent vehemently opposed the petition. He submits that the amount granted is nominal amount. The petitioner is having agricultural land. He had taken loan of Rs.1,50,000/- from the co-operative society for agriculture purpose. He submits that there is ample evidence on record showing that the petitioner is earning person. At any rate, he submits that he has able bodied educated person.

6. This Court finds that the amount of Rs.10,000/- cannot be said to be exorbitant considering the present day cost of leaving. It is seen that both the parties are well educated. There is landed property of the petitioner. The petitioner, thus, is in position to pay the amount.

7. Considering above, this Court is not inclined to interfere with the order passed by the learned trial Court. Writ petition stands dismissed. No order as to costs.

8. Parties to co-operate in speedy disposal of the proceeding before the trial Court. The trial Court to decide the proceeding as early as possible and preferably within one year from today.

[KISHORE C. SANT, J.]