



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO. 221 OF 2023

Swati W/o Mahendra Magre & Ors.

...Applicants

Versus

Mahendra Sampat Magre

...Respondents

Mr. Akshay G. Mulange h/f Mr. Dhawale Bhushan S, Advocate for the Applicants.

Mr. Adinath B. Jagtap, Advocate for Respondent.

CORAM : ABHAY J. MANTRI, J.

DATE : OCTOBER 10, 2025

PER COURT :

1. The applicants, the wife and daughters of the respondent, being dissatisfied with an order dated 14th June 2023, passed by the learned Judge of the Family Court, Jalna, which granted maintenance of ₹ 4,000/- p.m. to applicant No.1 and ₹ 3,000/- p.m. each to applicant Nos.2 and 3, i.e., total maintenance of ₹ 10,000/—. Therefore, the applicants have preferred this revision application.

2. Heard learned advocate for both parties and perused the impugned judgment and record. The learned advocate for the applicant submitted that in view of the judgment in *Kulbhushan Kumar V. Raj Kumari, AIR 1970SC234*, the applicant-wife is entitled to get the maintenance of 25% of the income of the husband and to the extent of 15% income to the children, however, learned Trial Court has not considered the said facts, while passing the impugned judgment and order, therefore, he has urged for enhancement

of the maintenance in view of the judgment in the mandate.

3. It is pertinent to note that during the argument, the learned advocate for both parties fairly submitted that they have taken instructions from their client, and the respondent is ready to pay enhanced maintenance of ₹ 6,000/- to each of the applicants, to which the learned advocate for the applicants, on instruction, showed their readiness and accepted the said proposal. In view of the same, both the learned advocates for the parties submitted that the impugned judgment and order be modified to that extent and the application be disposed of.

4. Having considered the submissions and the law laid down in *Kulbhushan Kumar* (supra), the application is partly allowed. The impugned Judgment and order dated 14th June 2023, passed by the learned Judge of the Family Court, Jalna, is hereby modified to the extent of clause No.2, i.e., the respondent shall pay maintenance of ₹ 6,000/- per month each to the petitioners/applicants from the date of this order, as both the parties have agreed to the same.

5. Moreover, in view of the mandate in *Rakhi Sadhukhan Vs. Raja Sadhukhan*, the maintenance shall be enhanced by 5% after every two years, to which the learned advocate for the respondent doesn't dispute. In view of the above, the application is partly allowed and disposed of accordingly.

(ABHAY J. MANTRI, J.)