



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO. 352 OF 2025

Laxman Marotrao Lute
Age: 30 years, Occu: Labour,
R/o. Shirad Shahapur, Tq. Aundha,
Dist. Hingoli.

...Applicant

Versus

Sau. Seema W/o Laxman Lute,
Age: 21 Years, Occu. Housewife,
R/o: Shirad Shahapur, Tq. Aundha,
Dist. Hingoli.
At present C/o Shrikrishna Ambhare,
Vrundawan Colony, Parbhani,
Tq. & Dist. Parbhani

...Respondent

- Mr. M. P. Kale, Advocate for the Applicant
- Mr. G. J. Pahilwan, Advocate for the Respondent No.

CORAM : ABHAY S. WAGHWASE, J
RESERVED ON : DECEMBER 05, 2025
PRONOUNCED ON : DECEMBER 08, 2025

JUDGMENT :

1. Revisionist husband original respondent takes exception to order dated 09.09.2025 passed by learned Family Court, Parbhani on application Exhibit 5 in Petition No. E-52/2024 thereby seeking interim maintenance.

2. Present Respondent Seema instituted Petition No. 52/2024 before Family Court, Parbhani contending that she was married to

revisionist on 24.02.2023. She alleged maltreatment and cruelty and that she was constrained to reside separately at her parents place and further alleged that husband neglected to maintain her, hence, in above petition, she pressed into service application exhibit 5 for interim maintenance.

The above application was contested by husband. By order dated 09.09.2025, learned Family Court was pleased to partly allow the application exhibit 5 directing husband to pay Rs. 5,000/- during pendency of the application along with Rs. 5,000/- cost towards proceedings.

Feeling aggrieved by the above order, present revision has been filed revisionist husband.

3. Heard. Learned counsel for petitioner would point out that, wife left company without just and sufficient cause and rather on her own accord and thereafter by leveling false and baseless allegations, she approached Family Court asserting maintenance. Learned counsel pointed out that petitioner is merely a labour and he himself has no sufficient means for his survival. That, in absence of any evidence about his income or salary, learned Trial Court merely on the basis of averments in the petition, accepted it as a gospel truth and granted interim maintenance. According to him, wife is able bodied and has completed her B. Pharmacy and, therefore, being self sufficient, needs no maintenance. Hence, he urges to interfere by allowing the revision.

4. Learned counsel for respondent would oppose the application on the ground that husband is responsible for wife leaving his company. That, she was neglected from being maintained and, therefore, she was constrained to apply for maintenance. That, husband was conducting business of renting tent and its decoration during marriage ceremonies and sound system and earns over a lakh rupees. Therefore, taking the same into account, it is his submission that mere interim maintenance is granted and so he urges to dismiss the revision.

5. After hearing both sides and on going through the papers, it is emerging that parties are husband and wife who got married in February, 2023. Due to strained relations, they seem to be separated. While asserting claim for interim maintenance, wife has set up a case that apart from above business of husband, he has income from agriculture properties. All such claim are refuted by husband. Wife before the Trial Court has placed on record 7/12 extract with list exhibit 4. Husband petitioner countered the above assertions by adducing any contrary evidence. Even otherwise, at this stage, merely interim maintenance has been awarded.

6. Perused the impugned order. While exercising revisional jurisdiction, this Court is only expected to test the impugned order is legal and proper and considering such limited scope, this Court does not find any

infirmity in the order of Trial Court. No patent perversity is brought to the notice of this Court except stating that there was no distinct evidence for grant of interim maintenance.

7. In view of above discussion, there being no merit in the revision, the same is required to be dismissed. Hence, I proceed to pass following order:

ORDER

Criminal Revision Application stands dismissed.

(ABHAY S. WAGHWASE, J.)

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