



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

CRIMINAL WRIT PETITION NO. 1965 OF 2024

Gopinath Murlidhar Pawar .. Petitioner

Versus

Suman Gopinath Pawar .. Respondent

Shri Manoj A. Dond, Advocate for the Petitioner through VC.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 18TH MARCH, 2025.**

FINAL ORDER :

. This petition is directed against concurrent findings of fact recorded for imposing liability of enhanced maintenance U/Sec. 127 of the Code of Criminal Procedure upon the petitioner. The Trial Court enhanced the maintenance from Rs. 6,000/- to 20,000/- per month till the retirement of the petitioner and thereafter to the extent of Rs. 10,000/-. This order is confirmed by the revisional Court.

2. The relations between the parties are strained. The respondent had initially filed Cri. M. A. No. 40 of 2005 seeking maintenance. At that time the petitioner was serving as Assistant Teacher and earning Rs. 8,615/- per month. There was settlement between the parties and it was agreed by the respondent that she would not claim any enhancement in the maintenance in lieu of the acceptance of responsibility of the

education of the children by the petitioner. Thereafter Criminal Application No. 486 of 2018 was filed by the respondent U/Sec. 127 of the Cr. P. C. for enhancement.

3. The petitioner attained age of superannuation on 31st May, 2023. Till that time he was earning salary of about Rs. 1,00,000/- per month. Thereafter he was getting monthly pension of Rs. 40,000/-.

4. I have gone through the paragraph Nos. 17 to 19 of order passed by the Trial Court. The learned Judge dealt with the change in the situation and need for the enhancement. Considering last pay drawn by the petitioner and the retiral benefits, the amount of maintenance was enhanced by the Trial Court. The plea of the petitioner that he has liability of loan has also been considered by the Trial Court. Against the order of the Trial Court, revision was preferred and revisional Court confirmed the order. There are concurrent findings of fact. I do not find any perversity or patent illegality in the impugned orders. The view taken by the Courts below is plausible and reasonable. I find no substance in the criminal writ petition. The criminal writ petition is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 25