

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10592 OF 2022
WITH
INTERIM APPLICATION NO.343 OF 2024
IN
WRIT PETITION NO.10592 OF 2022

Dimple Thakkar

...Applicant/
Petitioner

Versus

Parag Chandrakant Thakkar

...Respondent

Dr. Uday P. Warunjikar, for the Applicant/Petitioner.

Mr. Mohit Bhardwaj, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED: 26 FEBRUARY 2025

P.C.:

1. Heard Dr. Warunjikar, learned Counsel appearing for the Applicant/Petitioner and Mr. Bhardwaj, learned Counsel appearing for the Respondent.

2. The challenge in the present Writ Petition filed by the Petitioner under Article 227 of the Constitution of India is to the Order dated 30th July 2022 passed by the learned Judge, Family Court No.6, Mumbai below Applications bearing Exhibit- 12 and 25 in Petition A/2342 of 2016. The operative part of the said Order reads as under :-

- “1. The application Exh.12 and 25 partly allowed;
2. As the petitioner himself shown his willingness to pay an amount of Rs.8,000/- per month towards interim maintenance of respondent and Rs.7,000/- per month towards interim maintenance of the child, he is directed to continue to pay the same;
3. As the petitioner is ready to deposit educational*

expenses of the daughter, therefore he is directed to deposit actual educational expenses such as school fees, bus charges, books, school bags, shoes and expenses towards other curriculum activities of the child;

4. In view of the above, application disposed of.”

3. After arguing the Writ Petition for some time Dr. Warunjikar, learned Counsel appearing for the Petitioner, on the instructions of the Petitioner and Mr. Bhardwaj, learned Counsel for the Respondent, on the instructions of the Respondent, state that the said Order dated 30th July 2022 be modified by consent of the parties to certain extent.

4. Mr. Bhardwaj, learned Counsel for the Respondent, on instructions of the Respondent, who is present in Court makes following statements :-

i. An aggregate amount of Rs.25,000/- per month will be paid as maintenance to the Petitioner-wife and minor daughter.

ii. Said amount of Rs.25,000/- per month will be deposited in the account of the Petitioner on or before 10th day of each month.

iii. In addition to the maintenance of Rs.25,000/- additional amount of Rs.20,000/- per month will be paid as leave and license charges. The said leave and license charges of Rs.20,000/- per month will be paid upto October 2025 in the account of the Petitioner on or before 10th of each month

and the same will be enhanced as per the fresh leave and license agreement.

iv. The present leave and license agreement is till the period upto October 2025 and the same will be renewed for further period of 11 months and that the leave and license charges for the period from November 2025 till September 2026 will be paid by the Respondent directly to the owner of the premises.

The said statements made by Mr. Bhardwaj, learned Counsel appearing for the Respondent, on the instructions of the Respondent, are accepted as undertakings given to this Court by the Respondent.

5. Accordingly, the Writ Petition is disposed of by consent of parties by confirming Order dated 30th July 2022 passed by the learned Judge, Family Court, Mumbai below Exhibit-12 and 25 in Petition A-234 of 2016 with the above modification.

[MADHAV J. JAMDAR, J.]