

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1350 OF 2024

Manoj Sanchitram Kori

...Petitioner

Versus

Kavita Manoj Kori & Anr.

...Respondents

Ms. Rinki Agarwal, for the Petitioner.

Ms. R.S.Tendulkar, APP for the Respondents – State.

CORAM: MADHAV J. JAMDAR, J.

DATED: 20 FEBRUARY 2025

P.C.:

1. Heard Ms. Rinki Agarwal, learned Counsel appearing for the Petitioner.

2. By the present Writ Petition filed under Article 227 of the Constitution of India, the challenge is to the legality and validity of the Order dated 8th March 2023 passed by the learned 8th Judicial Magistrate First Class, Thane below Exhibit-4 in PWDVA No.109 of 2020 as well as Order dated 2nd September 2023 passed by the learned Additional Sessions Judge, Thane in PWDVA Criminal Appeal No.36 of 2023.

3. By the impugned Order dated 8th March 2023 the present Petitioner has been directed to pay interim maintenance of Rs.30,000/- per month towards maintenance of the Respondent No.1 and also directed to provide accommodation to the Applicant as per the standard of living of both parties or in alternate it is directed to pay rent of

Rs.30,000/- per month to the Applicant.

4. Both the Courts have held that the financial condition of the Petitioner is very sound. In fact it is the contention of the Respondent that Petitioner is the Director of several companies and he is the owner of three flats in Mumbai and one flat in London. The Petitioner has denied the same.

5. However, it is specifically recorded in the Order dated 8th March 2023 that the Petitioner has accepted that he is Director in company and he has fixed source of income and his earning is about Rs.1,50,000/- per month. Taking into consideration over all circumstances no case is made out for interference under Article 227 of the Constitution of India.

6. Accordingly, the Writ Petition is dismissed, however, with no order as to costs.

[MADHAV J. JAMDAR, J.]