

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10455 OF 2024

Kirti Mahesh Gurav

...Petitioner

Versus

Mahesh Tukaram Gurav

...Respondent

Mr. Priyal G. Sarda a/w Shubham Sane, Seema Dighe & Rajesh Ranglani, for the Petitioner.

Mr. Saurabh Butala i/b Harshad A. Sathe, for the Respondent.

Ms. Kirti Mahesh Gurav, Petitioner, present.

Mr. Mahesh Tukaram Gurav, Respondent, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 05 MARCH 2025

P.C.:

1. Heard Mr. Sarda, learned Counsel for the Petitioner and Mr. Butala, learned Counsel for the Respondent.
2. The challenge in this Writ Petition is to the Order dated 8th April 2024 passed by the learned Judge, Family Court, Pune below Exhibit - 26 in P. A. No.2317 of 2021. By the impugned Order, two sons have been granted maintenance of Rs.5,000/- per month each and maintenance of Rs.7,000/- per month has been granted to the Petitioner – wife.
3. Without prejudice to the rights and contentions in said P. A. No.2317 of 2021, both the learned Counsel, on instructions of the

Petitioner and Respondent, respectively, state that the impugned Order be modified to certain extent. It is to be noted that both the Petitioner and Respondent are personally present in Court and have accordingly given instructions to the respective Counsels.

4. Accordingly, by consent of the parties, Order dated 8th April 2024 passed by the learned Judge, Family Court, Pune below Exhibit - 26 in P. A. No.2317 of 2021 is modified as follows :-

(i) The Respondent - father will pay maintenance of Rs.10,000/- per month to each child w.e.f. 1st March 2025.

(ii) There is no change in the maintenance granted to the Petitioner - wife of Rs.7,000/- per month.

5. Mr. Butala, learned Counsel for the Respondent, on instructions of the Respondent, states that the arrears of the maintenance are about Rs.2,74,000/-. He states that the said arrears will be cleared by equal monthly instalments within a period of 8 months. Accordingly, the Respondent will pay an amount of Rs.35,000/- per month in addition to the monthly maintenance amount.

6. Mr. Butala, learned Counsel, states that the said monthly maintenance amount along with the instalments of Rs.35,000/- will be paid in the account of the Petitioner - wife on or before the 10th day of each month.

7. All these statements made by Mr. Butala, learned Counsel for the

Respondent on instructions of the Respondent, who is personally present in Court, are accepted as undertakings given to this Court.

8. Mr. Priyal Sarda, learned Counsel, on instructions of the Petitioner, who is personally present in Court, makes following statements :-

- (i) On every Sunday between 05:00 pm to 07:00 pm access will be given to the Respondent - father of both children. For that purpose the Petitioner - mother will drop them at the residence of the Respondent – father and the Respondent will drop them after access period at the residence of the Petitioner – wife. This arrangement will start from 9th March 2025.
- (ii) After 15th April 2025 the overnight access of both children will be granted to the father between Saturday (06:00 pm) and Sunday (06:00 pm). For that purpose the Petitioner - mother will drop them at the residence of the Respondent – father and the Respondent will drop the children after access period at the residence of the Petitioner – wife.
- (iii) The Petitioner and Respondent will mutually decide about the sharing of vacation access.

The said statements made by the Petitioner are also accepted as undertakings given to the Court.

9. Accordingly, Writ Petition is disposed of by confirming the Order dated 8th April 2024 passed by the learned Judge, Family Court, Pune below Exhibit - 26 in P. A. No.2317 of 2021, subject to above modifications, with no order as to costs.

[MADHAV J. JAMDAR, J.]

Note: This Order is corrected as per the Speaking to the Minutes Order dated 13th March 2025.