

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11944 OF 2024

Praful Jayantilal Shah s/o. Jayantilal Shah	...Petitioner
<i>Versus</i>	
Falguni Praful Shah D/o. Suresh Shah	...Respondent

Mr. Satish Mande, for the Petitioner.
Ms. Sonal Modi, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED : 8th AUGUST 2025

PC:-

1. Heard Mr. Mande, learned Counsel appearing for the Petitioner and Ms. Modi, learned Counsel appearing for the Respondent.

2. The challenge in this Writ Petition is to the order dated 13th May 2024 passed by the learned Judge, Family Court No.7, Bandra, Mumbai in Interim Application No.42 of 2021 in Petition No.A-2288 of 2021. By the impugned order, learned Judge of the Family Court has directed payment of Rs.20,000/- per month to the Respondent towards interim maintenance.

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3. At the outset, learned Counsel appearing for the Respondent points out that, the arrears are to the tune of Rs.11,00,000/- and only amount of Rs.25,000/- has been paid. Learned Counsel appearing for the Respondent-wife states that the Interim Application has been filed on 20th November 2020 and till date, except the said payment of Rs.25,000/-, nothing has been paid to the Respondent-wife.

4. Learned Counsel appearing for the Petitioner submitted that the Petitioner's financial condition is not well, he is required to maintain his mother aged 82 years and that the Petitioner is not staying in his own house but he is staying in a rented premises .

5. Learned Counsel appearing for the Respondent states that the Respondent is suffering from various ailments and she has undergone multiple surgeries and now she has been detected with breast cancer.

6. Admittedly, the Petitioner is in the business of supply of electronic material. The Petitioner in his affidavit of disclosure has stated that his monthly income is Rs.12,500/-, however, total

monthly expenses are stated to be Rs.58,600/-. In view of the said contents of the affidavit of assets and disclosure of the Petitioner, the learned Trial Court has observed that he has not disclosed his true income.

7. Thus, it is very clear that the Petitioner has not approached this Court with clean hands.

8. Thus, no interference in the impugned order dated 13th May 2024 passed by the learned Judge, Family Court No.7, Bandra, Mumbai is warranted under the jurisdiction of this Court under Article 227 of the Constitution of India.

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

[MADHAV J. JAMDAR, J.]