
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4985 OF 2025

Mahesh Babu Gunukula

...Petitioner

Versus

Sushma Chalamalasetti

...Respondent

Mr. Omneel Jadhav for the Petitioner.

CORAM: MANJUSHA DESHPANDE, J.

DATE : 16th JUNE 2025

P.C.:

1. The Petitioner is challenging the Order dated 1st August 2024 passed by the Family Court, Pune, below Exhibit-11 in Petition No. A - 727 of 2022, wherein he is directed to pay amount of Rs.25,000/- per month to the Respondent wife and Rs.15,000/- to the child towards interim maintenance. According to the Petitioner, during the pendency of the Hindu Marriage Petition for divorce, an application was moved under Section 24 of the Hindu Marriage Act, 1955, at the instance of the wife for interim maintenance, pursuant to which the interim order was passed. It is his contention that, during the pendency of the application, although he had filed an affidavit of assets and liabilities, due to

changed circumstances, he subsequently filed another affidavit, wherein he affirmed that his income had considerably reduced due to loss of employment and his ongoing efforts to secure new employment. As such, he was able to earn Rs.1,00,000/- per month; however, that affidavit was not considered by the learned Judge of the Family Court, who observed that the affidavit was not supported by documents. Although such an observation was made, according to the Petitioner, he had filed a pursis along with supporting documents on 10th July 2024 itself, before the passing of the impugned order dated 1st August 2024. Nevertheless, the impugned order was passed by the Judge of the Family Court without considering the pursis and affidavit.

2. Learned counsel for the Petitioner also submits that to demonstrate his bona fide, the Petitioner undertakes to deposit Rs.2,00,000/- within a period of two weeks in the Family Court and produce the receipt thereof and pay the balance amount within three weeks thereafter. This statement shall be treated as an undertaking to this Court. Upon production of such receipt of deposit, issue notice to the Respondent, returnable on **14th July 2025**.

3. Learned counsel for the Petitioner submits that the Petition was filed in March 2025; however, subsequently, his defense was struck off due to pending arrears. Hence, he seeks leave to amend the Petition to challenge the said order in the present petition. Leave granted. The amendment shall be carried out within a period of two weeks from today.

4. There shall be ad-interim relief in terms of prayer clause (b) till the returnable date.

5. It is made clear that, in case the Petitioner fails to deposit the amount of Rs.2,00,000/- within a period of two weeks, the interim relief shall automatically stand vacated without further reference to this Court.

[MANJUSHA DESHPANDE, J.]