

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5952 OF 2025

Priyanka Kiran Pawar

...Petitioner

Versus

Kiran Bharat Pawar

...Respondent

Ms. Veena Gowda a/w Aditi Uniyal, for the Petitioner.

Ms. Vidhya Iyengar a/w Shraddha Jadhav i/b Vidhya Iyengar And Associates, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.

DATED: 07 OCTOBER 2025

P.C.:

1. Heard Ms. Veena Gowda, learned Counsel appearing for the Petitioner and Ms. Vidhya Iyengar, learned Counsel appearing for the Respondent.

2. The challenge in this Writ Petition is to the Order dated 12th February 2025 passed by the learned Judge, Family Court, Belapur below Exhibit-11 in Petition A-413 of 2024 by which the learned Judge of the Family Court has directed payment of sum of Rs.35,000/- per month to the Petitioner i.e. wife and two sons as maintenance.

3. It is the submission of Ms. Veena Gowda, learned Counsel for the Petitioner that the Respondent is earning Rs.1,80,000/- and therefore the maintenance granted is totally inadequate. Apart from these

contentions, she submits that all the reliefs which are sought in the said Exhibit-11 Application have not been considered.

4. On the other hand, Ms. Vidhya Iyengar, learned Counsel for the Respondents, submits that although the Respondent's salary is Rs.1,80,000/-, the Respondent is paying EMI for various loans aggregating to the tune of Rs.1,65,000/-.

5. However, at this stage, Ms. Vidya Iyengar, learned Counsel for the Respondent, on instructions of the Respondent, states that an amount of Rs.35,000/- per month will be paid in the account of the Petitioner on or before the 15th day of each succeeding month. First such payment will be made on or before 15th October 2025. The said statement made by the Respondent is accepted as undertaking given to this Court.

6. As it is the contention of the Petitioner that various factors have not been taken into consideration by the learned Judge, Family Court, Belapur as well as all the prayers are not decided which have been made in the Application bearing Exhibit-11 filed in Petition A-413 of 2024, the Order dated 12th February 2025 passed by the learned Judge, Family Court, Belapur is quashed and set aside and the said Application bearing Exhibit-11 filed in Petition A-413 of 2024 is restored to the file of the learned Judge, Family Court, Belapur.

7. Although the impugned Order dated 12th February 2025 is quashed and set aside, the said Order will operate as ad-interim Order

in said Application and the Respondent will pay an amount of Rs.35,000/- per month in the account of the Petitioner on or before the 15th day of each month.

8. It is clarified that this Court has not considered the merits and all contention on merits of both parties are expressly kept open.

9. Accordingly, Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]