

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION (ST) NO.14169 OF 2025
IN
CIVIL APPLICATION NO.67 OF 2017
IN
FAMILY COURT APPEAL NO.146 OF 2017**

Rajkumar Narasinha Katakdhond .. Petitioner/
Org.Respondent

Versus

Mayuri Rajkumar Katakdhond & Ors. .. Respondents/
Org.Appellants

In the matter between:-

Mayuri Rajkumar Katakdhond & Ors. .. Org.Appellants

Versus

Rajkumar Narasinha Katakdhond .. Org.Respondent

WITH

**INTERIM APPLICATION NO.8849 OF 2025
(for stay)
IN
REVIEW PETITION (ST) NO.14169 OF 2025
IN
CIVIL APPLICATION NO.67 OF 2017
IN
FAMILY COURT APPEAL NO.146 OF 2017**

Rajkumar Narasinha Katakdhond .. Applicant/
Org.Respondent

Versus

Mayuri Rajkumar Katakdhond & Ors.

.. Respondents/
Org.Petitioners

Mr.Srinivas Chakravarty i/b Focus Legal, Advocate for the
Petitioner in Review Petition and Applicant in Interim
Application.

Mr.Harish Joshi i/b V. R. Kasle, Advocates for Respondents.

**CORAM : B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**
DATE : JUNE 27, 2025

P. C.

1. Though the above Interim Application and the above Review Petition were placed on board for dismissal as none had appeared on behalf of the Applicant on last occasion, the advocates for both the parties appeared before us today and have argued the Review Petition.

2. The above Review Petition seeks to vacate the order dated 19th June 2018 and/or modification thereof. The sole ground on which the said modification is sought is set out in paragraph 21 to 23 of the Petition which reads thus:-

“21.That all Respondents herein have become majors and are drawing maintenance in violation of the section 20 of HAMA, 1956. It is pertinent to mention here that Appellants had earlier filed an application no.C-02/2012 (old Special Civil Suit No.113 of

2010) u/s 20 of HAMA, 1956 before the Ld. Family Court, Solapur. Having been aggrieved by the order of the Ld. Family court dated 04.10.2016, the Appellants had approached this Hon'ble Court for enhancement of compensation. Accordingly, this Hon'ble Court had enhanced the compensation to Rs.15,000/- per month per child u/s 20 of HAMA, 1956. As per the very order dated 19.06.2018, the said order shall not be effective after the children attain the age of majority.

22. That the Petitioner herein has retired from services and has no one to take care of him and he has no other stable source of income.
23. That the Respondent No.1 is a doctor who has further drawn an amount of Rs.3,86,753/- from internship and also scholarship, Respondent No.2 is in the final year of MBBS and is likely to become a doctor very soon, and Respondent No.3 is in final year of LLB and is likely to become an advocate soon and join his mother in the legal profession. Where as the Petitioner has retired and has no one to take care of him and has no house to stay, as the house where the Respondent stay is co-owned by the Petitioner with the mother of the Children. It is pertinent to mention here that the Petitioner herein had paid an amount of Apprx. Rs.8,63,336/- from out of the total loan amount with interest of Rs.11,26,336/-. Mother had paid an amount of Rs.2,63,000/- from the said amount. Crave leave to refer to and rely upon the details of the payments made by the Petitioner herein with respect to the housing loan.”

3. As can be seen from these paragraphs, what the Review Petitioner actually seeks is a modification of the order dated 19th June 2018 on the ground of changed circumstances, namely, that his children have now become major, coupled with the fact that the Review Petitioner has also retired, and therefore no further maintenance ought to be paid to the children. Once this is the case, it falls outside the

jurisdiction of review as contemplated under Order 47 Rule 1 of the CPC.

4. This being the case, we dismiss the above Review Petition and grant liberty to the Review Petitioner to file an appropriate Application seeking a modification of the order dated 19th June 2018. If such an Application is filed, the same shall be decided on its own merits and in accordance with law.

5. In light of the disposal of the above Review Petition, nothing survives in the above Interim Application and the same is disposed of accordingly.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]