



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3017 OF 2025

(Harsha w/o Shrikrushna Tupkar & Anr. Vs. Shrikrushna s/o Asaram Tupkar)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Anup Dhore, Counsel for the petitioners.

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CORAM : ANIL L. PANSARE, J.
JUNE 18, 2025

Heard for some time.

2] Petitioner no.1 – wife has challenged order dated 18/2/2025 passed below Exh. 17 by the District Judge – 1, Mehkar, District – Buldana, in Guardian and Wards Case No. 17/2023, thereby allowing the application filed by the respondent – husband seeking permission to meet the child.

3] The learned Counsel for the petitioners submits that the Court below has directed the petitioners to produce the child at Mehkar, whereas she is residing at Chikhali.

4] Thus, a ground of inconvenience has been put forth. If that be so, the petitioners may approach the trial Court for modification of order, which request, if made, shall be considered on its own merits.

5] Petitioner no.1 – wife has challenged yet another order, which is dated 18/2/2025 passed below Exh. 21, thereby partly allowing the application filed by the petitioners for interim maintenance. The Court below

granted maintenance to petitioner no.2 – child and not to petitioner no.1 – wife.

6] The learned Counsel for the petitioners submits that though petitioner no.1 is working as Conductor, the Court below has not considered proportionate income and standard of living that the parties were living in and, thus, committed an error in granting lesser amount of maintenance.

7] As could be seen, it is not a case, where petitioner no.1 – wife is not earning at all. She is working as Conductor. The Court below, taking into consideration all attending circumstances, thought it proper to direct the respondent – husband to pay maintenance to petitioner no.2 - child. The order being in the nature of an interim arrangement, I do not find it appropriate to go into details at this stage. Petitioner no.1 – wife will get an opportunity to put forth her claim on merit, and necessary implications thereof will follow in final order.

8] Petitioner no.1 – wife is, thus, at liberty to claim higher amount towards maintenance, subject to her leading cogent evidence to that effect.

9] With the above liberty, the petition is disposed of. No costs.

(ANIL L. PANSARE, J.)

Sumit