



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

CIVIL APPLICATION (CAO) NO. 619/2025
IN
FAMILY COURT APPEAL NO. 57/2024
WITH
FAMILY COURT APPEAL NO. 58/2024
WITH
CRIMINAL REVISION APPLICATION NO. 194/2024

Sahil Sanjay Rathod V/s. Sau. Swati Sahil Rathod

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

Court's or Judge's orders

Shri R.R. Deo, Advocate for appellant.
Sau. Swati S. Rathod, respondent in-person

CORAM : SMT. M.S. JAWALKAR AND
PRAVIN S. PATIL, JJ.

RESERVED ON : 31.07.2025
PRONOUNCED ON: 11.08.2025

1. The Appellant has initiated three proceedings before this Court:

(i) First Appeal No. 58 of 2024 against the decree for Restitution of Conjugal Rights passed by the Family Court, Yavatmal;

(ii) Criminal Revision Application No. 194 of 2024 challenging the order passed under Section 125 Cr.P.C. in P.E. No. 74 of 2022; and

(iii) The challenges to the maintenance decree in P.A. No. 126 of 2022 and P.C. No. 04 of 2022.

2. These matters are clubbed. The Respondent seeks ₹3,00,000/- towards litigation expenses, citing that she, being a housewife with no income, requires to travel to Nagpur for hearings accompanied by her father.

3. The appellant contends that the Respondent's claim is misconceived, unprecedented, and legally untenable, intended to harass the Appellant and prolong proceedings. She has refused free legal aid, sought repeated adjournments, and already received ₹1,50,000/- from the Appellant (Cheque No. 292996 dated 18.03.2025).

4. On 21.07.2025, she submitted a "List of Expenses" across the Bar, which is an afterthought, unsupported by receipts, vouchers, or affidavit, and grossly inflated. In absence of admissible proof, the figures are misleading and devoid of evidentiary value. The Appellant disputes all claims therein and prays for their complete rejection.

5. I have heard both the parties.

6. The respondent has submitted the list of expenses (litigation expenses) across the bar, however, it appears that, she has included many items for which she is not entitled under the heading of "litigation expenses". She is entitled for travelling expenses and other expenses in each visit from Yavatmal to Nagpur, so also, she is entitled for Court fees, expenses for purchase of stamp papers, online filing charges, copying charges, charges towards certified copies, typing charges and postal charges, however, she is

not entitled for consultation fees, medical expenses under the heading of litigation expenses. So far as the travelling expenses are concerned, she has claimed Rs. 4,000/- per visit for 16 visits, however, it is not made clear that, when she was required to attend this Court for 16 times. She has also claimed Rs. 1,50,000/- towards unexpected expenses which may arise in future, however, the claim is exaggerated.

7. So far as the litigation expenses are concerned, the contention of the appellant is that, he has already paid the amount of Rs. 1,50,000/-, however, it is not towards the litigation expenses. Considering the heads and expenses given, it would be in the interest of justice and appropriate to grant Rs. 50,000/- towards litigation expenses. In fact, as the pleadings are completed, the matter may be taken up for final disposal, subject to payment of litigation costs/expenses.

8. Accordingly, we direct the appellant to pay the amount of Rs. 50,000/- towards litigation costs/expenses within a period of one month.

9. Accordingly, the application stands **disposed of**.

(PRAVIN S. PATIL, J.)

(SMT. M.S. JAWALKAR, J.)