



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

WRIT PETITION NO.2008 OF 2023

(Vinod Kushan Ukey Vs. Indrayani Vinod Ukey)

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

Court's or Judge's orders.

Mr. Alok Daga, Advocate for Petitioner.

CORAM: ANIL L. PANSARE, J.

DATE: 18th MARCH, 2025.

1. The challenge in this petition is to the order dated 05.08.2022 passed below Exhibit-14 by the learned 4th Joint Civil Judge, Senior Division, Chandrapur in the proceedings filed by petitioner for divorce being H.M.P. No.264/2021.

2. The learned trial court was pleased to allow interim maintenance in favour of respondent – wife to the tune of Rs.15,000/- per month.

3. In the context of the above, I have gone through the relevant material to find that the salary slip tendered by the petitioner indicates that he is working as a Teacher in primary school and is having gross salary of Rs.61,350/- which is of the month of June, 2021. His take home salary is Rs.27,778/-. It appears that the petitioner has taken loan for construction of house and is paying monthly installment of Rs.20,620/-.

4. As such the learned counsel for petitioner submits that since take home salary is around of Rs.27,000/-, the maintenance granted by the learned trial court is at a higher side. However, considering the fact that the petitioner is paying Rs.20,000/- towards the payment of loan for construction of house, which will be his asset, it would not be correct to deduct the said amount from his income. In other words, the amount of payment of loan cannot be taken as admissible deductions for the purpose of payment of maintenance.

5. In that view of the matter, I do not find any error in the approach of the learned trial court in granting interim maintenance of Rs.15,000/- in favour of respondent – wife. The petition is dismissed *in limini*.

(ANIL L. PANSARE, J.)