



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

CRIMINAL WRIT PETITION NO.913 OF 2024

SUNIL BHAURAO DESHBHRATAR

VS

ARCHANA SUNIL DESHBHRATAR AND ANR.

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

Court's or Judge's order

Ms S.D. Paul, Advocate for the petitioner/s

Mr. S.S. Bhalerao, Advocate for the respondent Nos.1 and 2

CORAM : ANIL S. KILOR, J.

DATE : 26th FEBRUARY, 2025

1. The order dated 02.07.2024 passed by the family Court No.3, Nagpur, enhancing the amount of enhanced maintenance granted to the wife and the daughter to the tune of Rs.12,000/- each, is under challenge on the ground that the amount is exorbitant.

2. However, the salary certificate shows that the gross salary of the petitioner is Rs.1,16,096/- after deducting, the net salary he gets Rs.69,883/-. However, deduction for GPF Rs.20,000/- cannot be considered while determining the amount of maintenance, as the said amount is receivable by the petitioner at the time of his superannuation. Thus, if that amount is included in the net salary, it comes to Rs.89,883/-.

3. It is the case of the petitioner that his elder brother and his wife are deaf and dumb, and are dependent upon him. However, this fact has not been accepted by the

learned Family Court for the reason that no evidence has been produced on record to show that they are dependent upon the petitioner.

4. Thus considering this fact it is evident that there is no one dependent on the petitioner. In the circumstances, considering the net salary of the petitioner, which comes to Rs.90,000/- per month, granting Rs.12,000/- each to wife and daughter, is the reasonable amount to live dignified life by his wife and daughter.

5. In that view of the matter, I do not want to interfere with the impugned order. Accordingly, the writ petition is **dismissed**.

(ANIL S. KILOR, J.)