



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

CRIMINAL WRIT PETITION NO. 956 OF 2025

Mr. Santosh S/o Suresh Shirsat

-- VERSUS --

Mrs. Nilima W/o Santosh Shirsat

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

Court's or Judge's orders.

Mr. S.A. Javalkar, Advocate for the Petitioner.

Mr. D.V. Mahajan, Advocate for the Respondent.

CORAM : M.M. NERLIKAR, J.

DATE : DECEMBER 18, 2025.

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The order dated 05/08/2025, passed below Exh.-13 by the Family Court, Akola, in Petition No.A-249/2023 (Interim Application No.66/2024), granting interim maintenance to the wife amounting to Rs.5,000/- from the date of application, is under challenge.

3. The learned counsel appearing for the petitioner submits that the petitioner has no means to maintain his wife. He further submits that the wife is working as a tailor and has recently completed a nursing course. He further submits that, as the petitioner is not doing anything, therefore, the Trial

Court has recently granted Rs.5,000/- as interim maintenance.

4. On the other hand, the learned counsel appearing for the respondent submits that the main petition under Section 24 of the Hindu Marriage Act, 1955, is pending, and the Court has only considered the grant of interim maintenance. He further submits that, insofar as the grant of interim maintenance is concerned, it is not necessary to go into the merits of the matter.

5. I have heard the learned counsel for both the parties. It appears that the respondent has placed on record the affidavit of assets and liabilities, which shows that in all the columns of the said affidavit, the petitioner has returned as “लागू नाही” or “नाही”, that means that the petitioner does not want to disclose his true income.

6. As was submitted by the learned counsel for the petitioner that he is doing labour work, that by itself, is sufficient to consider that Rs.5,000/- as interim maintenance is not exorbitant. Further, it is the duty and obligation on the part of the husband to maintain his wife. Under such circumstances, I do not find any merit in the petition, and the same is **dismissed** accordingly.

[M.M. NERLIKAR, J]