



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO.5882 OF 2024

Mr. Sagar S/o. Dilip Zade Vs. Bhagyashree S/o. Sagar Zade

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. M.V. Rai, Advocate for the Petitioner/s.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 09th OCTOBER, 2025

1. Heard Mr. M.V. Rai, learned counsel for the petitioner.
2. The petitioner is challenging the order dated 02.04.2024 passed by the 3rd Joint Civil Judge Senior Division, Wardha in HMP No.167/2023, whereby, the respondent filed an application Exh.12 for maintenance under Sections 24 and 26 of the Hindu Marriage Act, 1955.
3. Learned counsel for the petitioner vehemently argued that the Court below has not recorded any finding and stated that order passed by the Court below is an unseasoned one. He also stated that the petitioner does nothing and he has no source of income, yet the order is passed.
4. Learned 3rd Joint Civil Judge Senior Division, Wardha by its interim order under Sections 24 and 26 of the Hindu Marriage Act, 1955, has observed that the application was filed by the respondent-wife, claiming maintenance of Rs.15,000/-. Even she filed an affidavit by stating that the petitioner is earning Rs.50,000/- per month and in support of her contention, she placed on

record the bank extract, 7/12 extract and the valuation report.

5. The petitioner is required to maintain the respondent and in view of that the documents, such as bank extract and other record would clearly reveal that the petitioner is in position to pay the amount as claimed by the respondent herein and therefore, learned Family Court has granted an amount of Rs.5,000/- for attending the court proceedings and for maintenance in the sum of Rs.5,000/-. In view of that, learned Family Court has taken a reasonable view in the matter and consequently, I do not find any perversity in the order passed by the learned Family Court.

6. In view thereof, I do not find any reason to interfere with the order passed by the learned Family Court. Accordingly, the writ petition stands **disposed of**. No order as to costs.

(SIDDHESHWAR S. THOMBRE J.)

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