IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO. 143 OF 2025

Shivnanda @ Nandini w/o Suryanarayan Rasve,
Age : 35 Years, Occu : Household,
R/o Behind Nutan College,
Ganesh Nagar, Selu,
Taluka Selu, District Parbhani,
At present Sindhi Kalegaon,
Taluka and District Jalna. … Petitioner
[Orig. Petitioner]

Versus

Suryanarayan s/o Vasantrao Rasve,
Age 39 Years, Occu : Service,
R/o Maroti Temple, Chikalthana,
Taluka Selu, District Parbhani,
At present behind Nutan College,
Ganesh Nagar, Selu,
Taluka Selu, District Parbhani. … Respondent
[Orig. Respondent]

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Mr. Nitin S. Ingle, Advocate for the Revision Petitioner.
Mr. Rajendra V. Dasalkar, Advocate for the Respondent.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 06.02.2026
Pronounced on : 09.02.2026

ORDER :

1. Revision petitioner-wife, getting dissatisfied on grant of inadequate maintenance by learned Family Court, Jalna by judgment and order dated 04.04.2025 passed in Petition No. E-25 of 2024, has preferred the instant revision.

2. Present revision petitioner-wife instituted above maintenance petition alleging that, after three years of cohabitation, she was taunted for not begetting child. That, she was ill-treated on account of not meeting demand of Rs.10,00,000/-. On 10.01.2021, she was driven out of the house after retaining her ornaments. On 20.07.2023, there was meeting for compromise, but it did not yield any result. Instead, husband instituted proceedings for mutual divorce wherein lump-sum alimony was agreed but only Rs.1,00,000/- were paid and again she was refused to be taken in the house and consequently, she was constrained to stay with her parents. That, she had no source of income, whereas husband, by working as a teacher, earned salary of Rs.70,000/- and in-laws and husband have agricultural lands yielding Rs.4,00,000/- to Rs.5,00,000/- per annum. That, they own big house and are earning rent of Rs.20,000/- per month and for above reasons, she demand of maintenance to the tune of Rs.25,000/- per month.

3. The above proceedings were resisted by respondent-husband by filing say at Exhibit 13 refuting all allegations and attributing allegations of maintaining extramarital affair, refusing to maintain physical relations and lodging false complaint under Section 498-A of IPC. According to him, wife is B.A., D.Ed., taking tuitions and apart

from it, by doing tailoring work, she earns Rs.15,000/- per month and therefore, she to be not entitled for maintenance.

4. After appreciating the respective cases put forth by respective sides, learned Family Court partly allowed the maintenance claim directing respondent-husband to pay her Rs.4,000/- per month along with cost of the petition.

Feeling aggrieved by the quantum of maintenance, wife has again come up in revision.

5. Heard.

6. Precisely, before this Court it is submitted that, there was maltreatment, taunting, leveling false allegations of extramarital affair, not begetting child, money demand and finally revision petitioner-wife was compelled to leave the house. That, after separation, there was neglect to pay maintenance. That, husband earns around Rs.70,000/- per month and he and his parents earn Rs.4,00,000/-to Rs.5,00,000/- per annum from agricultural income and rent income etc., and therefore, it is her case that, grant of only Rs.4,000/- per month as maintenance is too meager, and thereby she prays for enhancing the same.

7. Perused the impugned order. Learned Family Court has taken into account the case pout forth by present revision petitioner-wife as well as taken into account the case of respondent-husband. There is no denial that, as regards to revision petitioner is concerned, there is nothing to show that she earns by rendering tuition or doing tailoring work which was the case set up by husband before the court below. Merely her qualification is projected. There is no evidence that wife has independent source of income, and when parties are residing separately and further there being neglect, learned Family Court rightly appreciated the available evidence and awarded maintenance to the tune of Rs.4,000/-.

8. Claiming it to be inadequate, enhancement is sought. But learned Family Court has taken into account the salary of husband to the tune of Rs.89,200/- which he has admitted in cross. For proper support of life in current days, a person needs to spend at least Rs.4,000/- to Rs.5,000/- i.e. for bare necessities. Moreover, wife is not illiterate but is rather shown to be B.A., D.Ed. and capable of earning. Taking the same into account, learned trial court has awarded Rs.4,000/-. The same is neither less not exorbitant and is rather just and proper.

9. As this Court is entertaining revision, limited scope is to see whether there is patent illegality or perversity on the part of the trial court while passing the impugned order. This Court does not notice any illegality or error on the part of the trial court while appreciating the evidence. Hence, no case being made out for interference, following order is passed :

ORDER

The Criminal Revision Application is dismissed.

[ABHAY S. WAGHWASE, J.]

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