

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3279 OF 2026
IN
FAMILY COURT APPEAL NO.37 OF 2025

Prajwal Prakash Mhatre .. Applicant

V/S.

Shital Prajwal Mhatre .. Respondent

Mr. Anirudha Rote with Ganesh Pandit i/by Vikrant Khare, for the applicant.

Mr. Hitesh Sangle (VC), for the Respondent.

**CORAM : SHYAM C. CHANDAK &
SHREERAM V. SHIRSAT, JJ.**

(VACATION COURT)

DATE : 28TH MAY 2026.

PC:

1. Learned counsel for the Applicant points out the order dated 6th May 2026 passed by this Court in the aforesaid application and submitted that the Respondent–mother of the child, is not giving custody of the child to the Applicant-father and thus, she has violated the said order.

2. Respondent-mother is present and stated that the Applicant has not deposited the entire maintenance amount and the arrears are Rs. 4,69,000/-. The said statement is disputed by the learned counsel for the Applicant. Yet, according to the learned counsel for the Applicant, the arrears are Rs.2,49,000/-. In the first session when the learned counsel for the Applicant was asked as to why the Applicant has not

deposited the entire amount of maintenance, the learned counsel, on instructions, showed his readiness to deposit the arrears. In the next session, the learned counsel for the Applicant, on instructions, stated that the Applicant has no money to clear the arrears.

3. The aforesaid changing stance taken by the Applicant - father through his learned counsel, clearly indicates that on one hand he wants the mother to comply with the order dated 6th May 2026 and on the other he wants to contemptuously disrespect the order of maintenance passed by the Trial Court. Thus, it is apparent that the Applicant-father is trying to harass the mother of the child.

4. The reason for not paying the arrears of maintenance, according to the learned counsel for the Applicant, is the poor economic condition of the Applicant. Therefore, we have doubts as to how, without money, the Applicant will manage the maintenance of the child if given in his custody during the school vacation.

5. Hence, put up before the Regular Court on 9th June 2026.

(SHREERAM V. SHIRSAT, J.)

(SHYAM C. CHANDAK, J.)