



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 970 OF 2026

Dhananjay s/o Bhimraoji Damodhar
Vs.
Vaishali @ Jyotsna Dhananjay Damodhar

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Sumit B. Gandhe, Advocate for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 09.02.2026

Heard learned counsel for the petitioner.

2. By this petition, the petitioner – husband has challenged the order dated 03.11.2025 passed by the Principal Judge of Family Court, Amravati, thereby directing that the proceedings of the divorce petition filed by the husband shall remain stayed till the petitioner/husband clears the outstanding amount of arrears of maintenance *pendente lite* and expenses of proceedings.

3. Learned counsel for the petitioner submits that the petitioner has earlier paid the amount of interim maintenance of Rs.8,000/- for the wife and Rs.5,500/- for their minor son aged about seven years. He submits that

even the order of interim maintenance dated 18.05.2023 passed by the Family Court, is not challenged and the husband has always shown readiness to comply the said order. However, he submits that the directions to stay the divorce proceedings ought not to have been granted and in support of his submissions, he places reliance on the judgment in the case ***Rajnish Vs. Neha and Ors.***, reported in ***MANU/SC/0833/2020***.

4. Perusal of the impugned order reveals that the Family Court has only directed that the proceedings of divorce case be stayed till the petitioner clears the outstanding amount of maintenance *pendente lite*. The impugned order is passed by considering the position of law as can be seen from the reasoning of the impugned order.

5. Since the order of interim maintenance is operating, the husband is bound to pay the interim maintenance and clear the outstanding arrears. I, therefore, do not find any perversity with the impugned order.

6. The Writ petition is accordingly dismissed. No orders as to costs.

(Prafulla S. Khubalkar, J.)