



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

WRIT PETITION NO.1656 OF 2025

Pradeep Sahadev Kapse Vs. Anushree Pradeep Kapse

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. P.J. Mehta, Advocate for the Petitioner.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 27th FEBRUARY, 2026

1. Heard learned counsel for the petitioner.
2. By this petition, the petitioner-husband has challenged the order dated 06.09.2023, passed by the Trial Court, in Hindu Marriage Petition No.A-60/2022, on an application for grant of interim maintenance filed by the respondent-wife under Section 24 of the Hindu Marriage Act, 1955. By the impugned order, the trial Court has granted interim maintenance of Rs.8,000/- per month to the wife and son.
3. Learned counsel for the petitioner submits that the petitioner was working as a "Supervisor" at Sut-Girni, Mangsa and drawing a salary in the sum of Rs.10,000/- per month and now he is jobless. He, therefore, submits that the order of maintenance of Rs.8,000/- is exorbitant.
4. A perusal of the impugned order shows that by considering the earning of the petitioner-husband as reflected in his Bank Account Statement for the month of April, 2021 as Rs.36,930/-, the trial Court has directed to pay maintenance of Rs.8,000/- per month for the wife and

son. The trial Court has observed that the husband has not filed his Bank Account Statement from 15.04.2021 onwards.

5. A perusal of the impugned order reveals that the trial Court has given due consideration to the relevant aspects and considering the income of the petitioner-husband, directed him to pay Rs.8,000/- per month towards interim maintenance to wife and son. It has to be noted that the petitioner-husband has not placed on record the account statement from 15.04.2021 onwards before the trial Court. As such, the contentions canvassed by the petitioner that his salary was only Rs.10,000/- and now he is jobless, cannot be believed at this stage. In any case, the respondent-wife who is unable to maintain herself is entitled for maintenance *pendente lite* for herself and for their minor son. As such, direction to pay the interim maintenance of Rs.8,000/- does not at all appears to be exorbitant and reasons recorded by the trial Court does not appear to be perverse. It has also to be noted that the trial Court has considered the income of the month of April, 2021 and by now, after about 05 years, the husband's income must have been increased.

6. Having regard to overall factual and legal aspects, no interference is warranted with the impugned order.

7. In view of that, the writ petition is **dismissed** with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

Privel