



Judgment

wp126.26

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

**CRIMINAL WRIT PETITION No. 126/2026.**

1.Poonam w/o Vishal Wagh,  
formerly known as Poonam d/o  
Kamlakar Deshmukh, Aged about  
24 years, Occupation Household,

2.Randheer @ Vipun s/o Vishal  
Wagh, Aged about 2 years, Minor,  
through Guardian mother – Petitioner No.1

Both residents of Chandak Layout,  
Shikshak Colony, Gautam Nagar,  
Buldhana, Tahsil and District Buldhana. ... **PETITIONERS.**

**VERSUS**

Vishal s/o Prabhakar Wagh,  
Aged about 37 years, Occupation  
Service, resident of Group/Gat No.4,  
SRPF Camp, SDRF Office, Vaishali  
Nagar, Hingna, Nagpur District Nagpur. ... **RESPONDENT.**

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Mr. T. Deshpande, Advocate for Petitioners.  
None for the Respondent – Served.  
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Rgd.

CORAM : M.M. NERLIKAR, J.

DATE : APRIL 08, 2026.

ORAL JUDGMENT :

Heard. Office note shows that the notice issued to the respondent by this Court is returned back with endorsement that the respondent has refused to accept the same. Considering this fact, it amounts to notice being served.

2. Considering the controversy involved in the matter, i.e. enhancement of interim maintenance, the matter is taken up for final disposal at the stage of admission itself. Hence, Rule. Rule is made returnable forthwith.

3. The petitioner no.1 wife along with her son has filed this petition seeking enhancement of interim maintenance granted by the Judge, Family Court, Buldhana vide order dated 21.11.2025 by which the respondent is directed to pay an amount of Rs.4000/- per month

Rgd.

to petitioner no.1 and Rs.3000/- per month to petitioner no.2 i.e. total Rs.7000/- per month.

4. It appears from the record that the respondent / husband had filed an affidavit of Assets and Liabilities before the Family Court, wherein monetary income was shown as near about Rs.50,000/- per month. It is further stated in paragraph no.F[4] that the salary slip will be filed later on. Therefore, while computing the amount, the Family Court found that Rs.4000/- for wife and Rs.3000/- for minor child would be sufficient.

5. On perusal of the entire order and after considering the affidavit of assets and liabilities of the respondent/husband, coupled with the fact that if Rs.50,000/- is considered as monthly income of the respondent, in my opinion the impugned order can be modified to the extent of granting interim maintenance to the wife at Rs.7000/- per month and Rs.5000/- to the minor child from the date of application. Hence, the following order.

### **ORDER**

Rgd.

- (a) Criminal Writ Petition is partly allowed and disposed of.
- (b) The order dated 21.11.2025 passed by the Judge, Family Court, Buldhana below Exh. 6 in Petition E No.3/2025 is modified to the extent of granting interim maintenance of Rs.7000/- per month to the wife, instead of Rs.4000/- per month and Rs.5000/- per month to the minor child instead of Rs.3000/- per month, i.e. total Rs.12,000/- per month, from the date of application.
- (c) Rule is made absolute in the aforesaid terms.

JUDGE