

MHRG170005572024



SPECIAL MARRIAGE PETITION NO. 9/2024

Siddharth Swapan Mukherjee ... Petitioner
v/s.
Ankita Siddharth Mukherjee ... Respondent

ORDER BELOW EXH. 17

01. This is an application filed by the respondent under Section 36 of the Special Marriage Act 1954 for Alimony pendente lite.

02. The petitioner filed his say at Exh.19 and strongly opposed the application. The respondent has filed written argument at Exh.35 and petitioner has filed written argument at Exh.38.

03. The learned advocate of the respondent submitted that, the petitioner has filed present petition for dissolution of marriage under Section 27 of the Special Marriage Act. The marriage of petitioner and respondent solemnized on 07/12/2015 as per the provisions of Special Marriage Act. The petitioner has treated the respondent with cruelty. Therefore, the respondent is staying separately from the petitioner. She has no sufficient source of income. On the other hand, the petitioner is B.E. Computer Engineering and he is serving in Company at Bangalore since 01/06/2022 and thereby getting salary of Rs.3,15,000/- per month. Parents of petitioner are

getting certain amount every month through the Life Insurance Corporation and pension. Hence, nobody is depending upon the petitioner. The respondent is entitled for Rs. 15,000/- rent per month for separate residence and Rs. 25,000/- per month interim maintenance.

04. The learned advocate for petitioner submitted that, the petitioner has denied all the allegations against him by the respondent. It is admitted that their marriage solemnized on 07/12/2015. The petitioner is already paying Rs. 2500/- per month to respondent. The respondent is well qualified. She is serving in IBM India Pvt. Ltd. Malad, Mumbai and she is receiving handsome salary, which is sufficient to maintain herself. Despite this petitioner is paying Rs. 2500/- per month to respondent. The respondent is not entitled for any kind of maintenance. Hence, prayed that the application be rejected.

05. Perused the application, say thereon and documents on record and arguments of both sides. It is admitted fact that the petitioner and the respondent are married on 07/12/2015 as per the Special Marriage Act. They are staying separately since 05/09/2021. From the assets and liabilities Exh. 20 filed by petitioner it appears that, the educational qualification of petitioner is B.E. Computer Engineer and serving in Philips India Limited Embassy Business Hub, Kogilu, Bangalore as a Senior Software Technologist and receiving salary of Rs. 3,35,000/- per month. The respondent has filed her assets and

liability affidavit at Exh. 26. In which she mentioned that, her educational qualification is B.A. Economics and serving in IBM India Pvt. Ltd. Malad, Mumbai as a Assistant Manager. Her total monthly income is Rs. 92,000/- per month. In column 11 of affidavit she mentioned that her of monthly expenditure is Rs. 75,500/- per month. However, in column No. 60 she mentioned monthly expenditure Rs. 92,000/- per month. The respondent is claiming house rent Rs. 15,000/- per month. However, expenses shown in the affidavit are inclusive of house rent. The respondent has produced her salary slip of September 2024. It shows that respondent is receiving salary of Rs.1,07,512/- per months including all allowances. The total expenditure shown in the assets and liability is Rs. 92,000/- per month. Therefore, salary of the respondent is sufficient for her support and expenses of proceeding. It is pertinent to note that, the petitioner is paying Rs. 2500/- per month to respondent without any maintenance order. The petitioner has produced on record photocopy of some of the deposit slips. This fact is not denied by the respondent. Respondent is receiving handsome salary of earning Rs. 1,07,512/- per month. However, considering standard of living of parties, I find Rs. 10,000/- alimony pendente lite is proper, as a result I pass following order :-

ORDER

1	The application at Exh. 17 is partly allowed.
2	The petitioner is hereby directed to pay interim maintenance of Rs. 10,000/- (Rs.

	Ten Thousand only) per month to the respondent from the date of filing of the application till final decision of the petition.
	Order in open court.

Panvel,

Dated :- 21/03/2025

(S.R. Chavan)

District Judge- 4
Panvel-Raigad