



ORDER BELOW EXH. 16

(Date: 09.05.2024)

By this application, the applicant, Sau. Manisha Nikhil Ghuse, is claiming interim maintenance to the tune of Rs. 25,000/- per month to herself from non-applicant no. 1 who is her husband.

2. The advocate for non-applicant filed his say (Exh. 18) and strongly resisted the application.

03. I heard advocate Smt. Ambika Jadhav for applicant and advocate Shri. V.R. Dhekle for non-applicant.

04. The advocate for applicant and advocate for non-applicant retreated the contention in the application (Exh.16) and the say (Exh. 18) respectively. Considering the contention of the parties following points arise for my determination and I have recorded my findings thereon with brief reasons as follows.

Sr. No.	Point	Findings
01	Whether the applicant is entitled to interim maintenance as prayed? If yes, what is the quantum?	Partly yes.
02	What Order?	Application is partly allowed.

REASONS

05. On perusal of record, it appears that on 23.04.2023 the marriage of the applicant and non-applicant no. 01 solemnized. The

marital relations not disputed by the parties.

06. The basic purpose of interim maintenance is to provide fixed reasonable amount to the wife pending litigation. So that she could survive to fight the legal battle. Therefore, at this stage it is not necessary to see whether non-applicant no.01 refused to maintain the applicant or whether the non-applicant no. 01 has sufficient means. The object behind interim maintenance is to aid the applicant during the pendency of litigation. Hence, in my opinion, applicant is entitled for reasonable amount as interim maintenance.

07. The term reasonable is a relative term and it depends upon the facts and circumstances of each case. Ordinarily reasonableness would require ensuring the receipt of the same amenities and comforts by the wife as she was getting when residing with her husband. While deciding the application of interim maintenance Court has to take into consideration status of the parties, reasonable want of claimant, number of persons depending on non-applicant and the income of non-applicant.

08. In present application, the applicant, though stated that, non-applicant no. 01 is a soft wear developer and earns Rs. 32,00,000/- per year. He also doing other works and earns Rs. 02,60,000/- per month. She has filed, along with list Exh. 15, photocopies of face book profile of non-applicant no. 01. But she has not filed any document to show the income of non-applicant no. 01. Non applicant no.01 is husband of applicant, therefore it is his bounden duty to maintain the applicants. After taking into consideration the material on record Rs. 5000/- per month to the applicant is sufficient and judicious as interim maintenance allowance. Hence the following order,

ORDER

1. Application is allowed.
2. Non-applicant no. 01 is directed to pay Rs. 5000/- (Rs. Five Thousand only) per month to the applicant as interim maintenance from the date of main application (Exh. 1).
3. Parties to take note.

Sd/-

Place: Pusad
Date: 09.05.2024

(Govind S. Varpe)
Judicial Magistrate First Class,
Pusad