

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 2954 of 2025
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In
R/FIRST APPEAL NO. 2954 of 2025

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BHAUMIK RAMCHANDRA KOTAK
Versus
AARTIBEN BHAUMIK KOTAK D/O MANSUKHLAL RANCHODDAS
KHIRAIYA

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Appearance:

MR DARSHAN K KOTHARI(14004) for the Appellant(s) No. 1
MR NEHUL L DAVE(2411) for the Appellant(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE A.Y. KOGJE
and
HONOURABLE MR. JUSTICE N.S. SANJAY GOWDA

Date : 22/08/2025

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)

Learned Advocate for the appellant submitted that even as per the declaration made by the respondent-wife, she is earning about Rs.30,000/- to Rs.35,000/- and has deserted the appellant-husband and minor twin sons, who are under care of the present appellant.

Learned Advocate for the appellant further submitted that the order of maintenance granted is already subject matter of challenge in Criminal Revision Application No.501 of 2022. He has thereafter drawn attention of this Court to application Exh.13,

wherein the present impugned order dated 13.06.2025 is passed, where prayer of the respondent-wife is only to the extent of seeking litigation expenses and travel expenses. However, the Family Court has travelled beyond the prayers and has granted interim maintenance of Rs.5,000/- from the date of filing of the application till final hearing and disposal of the application under Section 24 of the Hindu Marriage Act.

Issue **NOTICE** returnable on **19.09.2025**.

By way of interim relief, operation and implementation of order below Exh.13 dated 13.06.2025 in Family Suit No.1553 of 2023 is stayed.

It will be open for the learned Advocate for the for the appellant to effect service of notice upon the learned Advocate representing the respondent-wife in other proceedings before this Court.

Learned Advocate for the appellant shall deposit an amount of Rs.5,000/- before this Court towards cost of litigation.

(A.Y. KOGJE, J)

(NSSG,J)

SHITOLE