

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8152 OF 2023

Amol Ashok Holkunde

.....Petitioner

Vs.

Yogita Amol Holkunde

.....Respondent

Mr. Sachin Deokar for the petitioner

Ms. Panthi Desai (on VC) i/b M. P. Vashi and Associates for the respondent

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2024.09.11
13:01:31
+0530

CORAM : GAURI GODSE, J.

DATE : 9th SEPTEMBER 2024

ORDER:

1. By order dated 7th August 2024, this petition was listed today on the request made by the learned counsel for the petitioner. By the said order, the petitioner was directed to make arrangement to clear all the arrears towards interim maintenance as per the impugned order.

2. According to the learned counsel for the petitioner, arrears as on today is to the tune of Rs. 3,00,000/-. However, the petitioner is agreeable to pay only an amount of Rs. 1,50,000/- on the ground that the respondent is earning and hence, she will not be entitled to any

maintenance.

3. Learned counsel for the respondent submits that she has filed her affidavit of assets and liabilities and disclosed her income as well as the expenses required for the child. Learned counsel for the respondent submits that interim maintenance claimed by the respondent for an amount of Rs. 80,000/- per month, however, by the impugned order, only an amount of Rs. 20,000/- is granted.

4. On perusal of papers of the petition, I am of the prima facie opinion that the amount granted by way of interim maintenance is on a lower side and the respondent would be entitled for enhancement of the maintenance amount.

5. Hence, office is directed to issue suo motu notice to the petitioner calling upon him to explain as to why the amount granted towards the interim maintenance by way of impugned order should not be enhanced.

6. Necessary affidavit in response to the suo motu notice to be filed before the next date with an advance copy to the learned counsel for the respondent.

7. In the meantime, the statement made on behalf of the petitioner

that he shall pay an amount of Rs. 1,50,000/- is accepted as an undertaking to the Court.

8. By way of interim arrangement, the petitioner is permitted to pay an amount of Rs. 1,50,000/- to the respondent within two months from today.

9. Suo motu notice for enhancement is made returnable on 2nd December 2024.

[GAURI GODSE, J.]