

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12524 OF 2023

Reshma Ganji

...Petitioner

Versus

Riyaz Ganji

...Respondent

Mr. Manan Sanghai i/b Mr. Kaustubh Gupte for the Petitioner.

Mr. Ashish Dubey for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : OCTOBER 31, 2023

P. C. :

1. The Petition has been urgently moved as the share of the tuition fees of the daughter Ananya which was directed to be paid equally by the Petitioner and the Respondent by order dated 19th August, 2023 passed by the Family Court was not paid.

2. Learned counsel for the Petitioner-Wife submitted that she has paid her share of Rs. 11,00,000/- and the balance 50% of the tuition fees Rs. 11,00,000/- is required to be paid by the Respondent and today is the last date for payment of the school fees.

3. Learned counsel for the Respondent raises unnecessary submissions as regards the tuition fees already been paid. Even if it is accepted that, the Respondent has paid his share of the tuition fees which according to the learned counsel for the Respondent are placed in a fixed deposit, considering the emergent situation which arises, as the school fees of the minor child is required to be paid, he can pay 50% of the school fees directly to the school. As to whether the fees were paid and as such, the Respondent is required to be reimbursed, can be considered subsequently. Considering the position which has arisen due to non-payment of school fees, the Respondent is directed to pay his share of the tuition fees viz Rs. 11,00,000/- tomorrow to the institution where his daughter is studying.
4. It is made clear that, if the school fees are not paid, this Court will be constrained to issue directions for attachment of the properties of the Respondent, apart from initiating contempt proceeding for non-compliance of order of this Court.
5. List both the Petitions on **6th November, 2023**.

(SHARMILA U. DESHMUKH, J.)