



IN THE HIGH COURT OF MADHYA PRADESH

AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE AMIT SETH

Criminal Revision No.1050/2025

RAKESH KASHYAP

Versus

SMT RAGINI YADAV

Appearance:

Shri Prashant Sharma and Shri Upendra Yadav – Advocates for applicant.

Shri Ashok Kumar Ahirwar – Advocate for respondent.

WITH

Criminal Revision No.1158/2025

SMT RAGINI YADAV

Versus

RAKESH KASHYAP

Appearance:

Shri Ashok Kumar Ahirwar – Advocate for applicant.



Shri Prashant Sharma and Shri Upendra Yadav – Advocates for respondent.

Reserved on : 27.04.2026

Delivered on : 13.05.2026

ORDER

1. With the consent of the parties, the matter is finally heard.
2. Both the criminal revisions filed under Section 438 read with Section 442 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS”), read with Section 19 (4) of the Family Courts Act and read with Sections 397 and 401 of the Code of Criminal Procedure, 1973 (hereinafter referred to as “Cr.P.C.”), challenge the order dated 30.12.2024 passed by the Additional Principal Judge, Family Court, Gwalior (M.P.) in MJCR/20285/2016, whereby an application under Section 125 of Cr.P.C. filed by the applicant/wife has been partly allowed, and the non-applicant/husband has been directed to pay a sum of Rs.20,000/- per month as maintenance to the wife.
3. Criminal Revision No.1050/2025 has been filed by the husband seeking setting aside of the impugned order dated 30.12.2024, whereas Criminal Revision No.1158/2025 has been filed by the wife seeking



enhancement of the maintenance awarded by the Family Court *vide* the impugned order.

4. For the sake of convenience, both the criminal revisions are being considered and disposed of by this common order. For the sake of convenience, the wife is being referred to as the applicant/wife, whereas the husband is being referred to as the non-applicant/husband in the instant order.

5. The brief facts leading to the filing of the criminal revisions are as under:

5.1. The applicant/wife, claiming to have been married to the non-applicant/husband in accordance with the Hindu rites at Gwalior on 07.05.2015, and stating that the non-applicant/husband to be working as a Sub-Engineer at Municipal Corporation, Gwalior, approached the Family Court by way of filing an application under Section 125 of Cr.P.C., claiming maintenance.

5.2. In the said application, it was pleaded that just a few days after the marriage, the non-applicant and his family members started demanding a sum of Rs.5,00,000/- and a Swift Dzire car as dowry, and the applicant was continuously taunted for not bringing adequate dowry. When the applicant disclosed these demands to her parents, the parents of the applicant consoled



her, assuring that during the course of time, things would improve. However, when the father and brother of the applicant discussed the matter with the non-applicant's family, they were told to take their daughter back. When the parents of the applicant reached her matrimonial home, they were misbehaved with, and the demand of a Swift Dzire car and Rs.5,00,000/- as dowry was reiterated. The parents of the applicant expressed their inability to fulfill the demand; thereafter, the non-applicant and his family members started harassing the applicant by keeping her hungry and she was subjected to severe mental trauma. Her hemoglobin level fell down to 9, and her blood pressure rose to 90. She was thrown out of her matrimonial house in the clothes she was wearing and went to her parental home where she was administered treatment. On 14.12.2015, her brother accompanied her for dropping her at her matrimonial home, but she was not permitted to enter, and allegedly, brother of the applicant was assaulted. A report was also made by the applicant at Police Station Madhoganj, Gwalior on 15.12.2015, on which, an F.I.R. *vide* Crime No.767/2015 was registered against the non-applicant and his family members on 30.12.2015.

5.3. The applicant thus alleged that she has been thrown out of her matrimonial home and subjected to mental/physical harassment, trauma, and demand of dowry. She is staying with her parents without any means of



livelihood or source of income. The non-applicant/husband, working as a Sub-Engineer, is stated to be earning Rs.75,000/- per month (initially stated as Rs.50,000/- and subsequently amended to Rs.75,000/-) and from other sources, he is having income of Rs.1,00,000/-. His father is a retired government servant receiving a pension, and the non-applicant is also having rental income of Rs.40,000/- and since the non-applicant failed to maintain her, she claimed Rs.40,000/- per month as maintenance in her application along with litigation cost of Rs. 10,000/-.

5.4. A reply was submitted by the non-applicant/husband denying and refuting the contentions raised by the applicant. It was stated that the applicant is residing separately from the non-applicant on her own volition and she has never been subjected to any demand of dowry or mental harassment etc. The non-applicant is ready and willing to keep the applicant alongwith him but on her own volition and on the interference by her parents, she is residing separately without any justifiable cause or reason, and therefore, she is not entitled to any maintenance. That apart, in the reply, the allegations as regards the salary of the non-applicant being Rs.50,000/- per month and his income from the other sources were also denied and it was also pleaded that non-applicant is required to spend considerable amount on his



treatment for the diseases he is having. Accordingly, prayed for dismissal of the application.

5.5. The learned Family Court, *vide* order dated 19.11.2016, allowed the application filed by the applicant for grant of interim maintenance and awarded Rs.5,000/- per month as interim maintenance. During the pendency of the proceedings, affidavits as regards the income/liability of the applicant as well as non-applicant respectively were filed by them in terms of the directions issued by the Apex Court in the case of *Rajnesh vs. Neha, 2021 (2) SCC 324*, and evidence was led by the parties.

5.6. Taking into consideration the evidence brought on record, the learned trial Court found that the applicant is being compelled to reside separately on account of harassment/cruelty subjected to her at her matrimonial home, and that she has no independent source of livelihood/income whereas, the non-applicant, working as a Sub-Engineer at Municipal Corporation, Gwalior, is having sufficient source of income and after considering the material factors, the Court passed the impugned order, whereby the non-applicant has been directed to pay a sum of Rs.20,000/- per month as maintenance to the applicant from the date of filing of the application, i.e., 04.02.2016. It is this order which is under challenge in both criminal revisions.



6. Learned counsel appearing for the non-applicant/husband presses the Criminal Revision Petition No.1050/2025 on a limited aspect and submits that the learned Family Court erred in awarding maintenance payable to the applicant from the date of filing of the petition by taking into consideration the salary received by the non-applicant as on 07.01.2022, i.e., the date on which he filed his affidavit declaring his income and liabilities. He submits that the income received by the non-applicant/husband on the date of adjudication could not have formed the basis for granting maintenance at rate of Rs.20,000/- per month with effect from 04.02.2016. By referring to the order dated 19.11.2016 passed by the Family Court granting Rs.5,000/- per month as interim maintenance to the applicant, learned counsel appearing for the non-applicant submits that as on 19.11.2016, the learned Family Court considered the monthly salary slip of the non-applicant for month of December, 2015 wherein, the gross income was reflected as Rs.33,443/- and the net income was reflected at Rs.29,711/-. On the basis of said income, Rs.5,000/- per month as interim maintenance was granted. However, now if the sum of Rs.20,000/- per month is to be paid by the non-applicant with effect from 04.02.2016 that would be having an effect of grant of maintenance to the applicant at the rate of about 68 percentile of the salary received by the non-applicant on 04.02.2016. He submits that blanketly, a sum of Rs.20,000/- per month could not have been granted as maintenance



with effect from 04.02.2016 and there ought to have been gradual increase commensurate with the salary received by the non-applicant in respective year while granting retrospective maintenance. The non-applicant/husband has also placed on record his Income Tax Returns for the intervening financial years during the pendency of the proceedings to submit that maintenance amount of Rs.20,000/- per month is disproportionate to his income during the said years. A tabular statement of his net annual salary as per the Income Tax Returns for each respective financial year, as pleaded by him in his memo of revision in Criminal Revision No.1050/2025 is reproduced herein below:

Financial Year	Salary (Per Year)	Percentage of salary as per the Rs. 20,000/- maintenance per month
2016-17	Rs. 3,53,329	67.92%
2017-18	Rs. 5,63,081	42.46%
2018-19	Rs. 5,62,916	42.63%
2019-20	Rs. 6,81,345	35.22%
2020-21	Rs. 5,33,015	45.02%
2021-22	Rs. 6,38,374	37.59%
2022-23	Rs. 6,15,791	38.97%
2023-24	Rs. 7,73,013	31.04%



2024-25 (11 months)	Rs. 7,86,886	27.95%
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7. Learned counsel appearing for the non-applicant/husband submits that in the case of *Kalyan Dey Chowdhury vs. Rita Dev Chowdhury Nee Nandy, 2017 AIR (SCW) 2383*, the Apex Court has held that broadly, the wife is entitled to 25% of the net income of the husband as maintenance. He further places reliance on the judgment by the Apex Court in the case of *Dr. Kulbhushan Kunwar vs. Smt. Raj Kumari, 1971 AIR SC 234* to contend that maintenance ought to have been fixed at 25% of the income of the non-applicant in the respective years instead of a blanket fixation of Rs.20,000/- per month as maintenance for all the years with effect from 2016. He further submits that the observations recorded by the Family Court in paragraphs No.34, 36 and 38 of the impugned order holding that the applicant has been subjected to cruelty by the non-applicant and his family members are beyond the scope of jurisdiction conferred on the Family Court under Section 125 of Cr.P.C. and such observations are likely to come in the way of the non-applicant in pending criminal trial for offence under Section 498-A of the Indian Penal Code, 1860 registered by the applicant against the non-applicant and his family members and therefore, the aforesaid observations also deserve to be expunged/quashed. On these grounds, interference in the impugned order is sought for.



8. On the other hand, learned counsel appearing for the applicant/wife, while opposing the arguments advanced on behalf of the non-applicant/husband, submits that in fact, the maintenance has been fixed by the learned Family Court on the lower side. The wife is entitled to enjoy the same status as is being enjoyed by the husband and, therefore, at least Rs.40,000 to Rs.50,000/- per month as maintenance ought to have been granted. He further submits that as on date, there has been a substantial increase in the salary of the non-applicant and he is receiving more than Rs.90,000/- per month as salary. If the contentions advanced on behalf of the non-applicant/husband are to be accepted and there has to be proportional increase and fixation of maintenance *qua* the salary received by the non-applicant/husband, for the increase in salary of the non-applicant/husband after the year 2022, i.e., after filing of the affidavit before the Family Court, the applicant/wife is entitled for enhanced maintenance amount in the same proportion upto the date of judgment, in case, there is any retrospective reduction in the maintenance amount award. Accordingly, he submits that the criminal revision filed by the non-applicant/husband deserves to be dismissed, and enhanced maintenance, as prayed for by the applicant in her application before the Family Court, should be granted by allowing Criminal Revision No.1158/2025 filed by the applicant/wife.



9. No other point has been pressed by the learned counsel for the parties.
10. Heard the learned counsel for the parties and perused the record.
11. The law on maintenance under Section 125 of Cr.P.C is well settled. In ***Bhagwan Dutt v. Kamla Devi, (1975) 2 SCC 386***, the Apex Court has held that the object of granting maintenance under Section 125 is to prevent vagrancy and destitution in order for the wife to maintain a standard of living which is neither luxurious nor penurious but is modestly consistent with the status of the family. The same is reproduced as hereunder:

“19. The object of these provisions being to prevent vagrancy and destitution, the Magistrate has to find out as to what is required by the wife to maintain a standard of living which is neither luxurious nor penurious, but is modestly consistent with the status of the family. The needs and requirements of the wife for such moderate living can be fairly determined, only if her separate income, also, is taken into account together with the earnings of the husband and his commitments.”

12. As to the quantum of maintenance to be determined, it is settled law that there is no rigid formula to calculate the same as it is always required to be determined on the basis of facts and circumstances of each case. However, the Apex Court in ***Kulbushan Kunwar v. Smt. Raj Kumari, (1970) 3 SCC 129*** upheld the fixation of maintenance at 25 percent of the husband's net salary for the purpose of computation of maintenance as reasonable, just and proper. This view was thereafter reiterated in ***Kalyan Dey Chowdhury v. Rita***



Dey Chowdhury Nee Nandy, (2017) 14 SCC 200 wherein the Apex Court took note of the different salary figures of the husband in February 2015 (Rs.63,842/- net) and February 2016 (Rs.95,527/- net) before determining the appropriate maintenance quantum and reiterated *Kulbhushan Kumar (supra)* to hold that broadly 25% of the husband's net salary would be just and proper to be awarded as maintenance to the wife. The relevant para of *Kalyan Dey Chowdhury (supra)* is reproduced as herein:

“15. The review petition under Order 47 Rule 1 CPC came to be filed by the respondent wife pursuant to the liberty granted by this Court when the earlier order dated 2-2-2015 [Rita Dey Chaudhury v. Kalyan Dey Chowdhury, 2015 SCC OnLine Cal 10447] awarding a maintenance of Rs 16,000 to the respondent wife as well as to her minor son was under challenge before this Court. As pointed out by the High Court, in February 2015, the appellant husband was getting a net salary of Rs 63,842 after deduction of Rs 24,000 on account of GPF and Rs 12,000 towards income tax. In February 2016, the net salary of the appellant is stated to be Rs 95,527. Following Kulbhushan Kumar v. Raj Kumari [Kulbhushan Kumar v. Raj Kumari, (1970) 3 SCC 129] , in this case, it was held that 25% of the husband's net salary would be just and proper to be awarded as maintenance to the respondent wife. The amount of permanent alimony awarded to the wife must be befitting the status of the parties and the capacity of the spouse to pay maintenance. Maintenance is always dependent on the factual situation of the case and the court would be justified in moulding the claim for maintenance passed on various factors. Since in February 2016, the net salary of the husband was Rs 95,000 per month, the High Court was justified in enhancing the maintenance amount. However, since the appellant has also got married second time and has a child from the second marriage, in the interest of justice, we think it proper



to reduce the amount of maintenance of Rs 23,000 to Rs 20,000 per month as maintenance to the respondent wife and son.”

[Emphasis Supplied]

13. Moreover, in *Rajnish v. Neha (supra)*, the Apex Court has held that maintenance shall be payable from the date of filing of application. The relevant paras of *Rajnish v. Neha (supra)* are reproduced hereunder:

“109. The judgments hereinabove reveal the divergent views of different High Courts on the date from which maintenance must be awarded. Even though a judicial discretion is conferred upon the court to grant maintenance either from the date of application or from the date of the order in Section 125(2) CrPC, it would be appropriate to grant maintenance from the date of application in all cases, including Section 125 CrPC. In the practical working of the provisions relating to maintenance, we find that there is significant delay in disposal of the applications for interim maintenance for years on end. It would therefore be in the interests of justice and fair play that maintenance is awarded from the date of the application.

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113. It has therefore become necessary to issue directions to bring about uniformity and consistency in the orders passed by all courts, by directing that maintenance be awarded from the date on which the application was made before the court concerned. The right to claim maintenance must date back to the date of filing the application, since the period during which the maintenance proceedings remained pending is not within the control of the applicant.

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V. Enforcement of orders of maintenance



131. We make it clear that maintenance in all cases will be awarded from the date of filing the application for maintenance, as held in Part B — IV above.

(e) Enforcement/Execution of orders of maintenance”
[Emphasis Supplied]

14. In view of the law propounded by the Apex Court as hereinabove, the precise issue that falls for consideration before this Court is whether the learned Family Court was justified in awarding a uniform amount of Rs.20,000/- per month as quantum of maintenance to the applicant/wife from the date of filing of the application, i.e., 04.02.2016 and whether such maintenance granted is commensurate with the net salary of the non-applicant/husband during the intervening period of proceedings?

15. As to the grant of maintenance from the date of filing of the application, in light of the law laid down in *Rajnish v. Neha (supra)*, it is settled that maintenance is payable from the date of filing of the application. The finding arrived by the Learned Family Court in this regard is in accordance with law. Even otherwise, as per the arguments advanced by the learned counsel appearing for non-applicant/husband, he is not aggrieved by fixation of Rs. 20,000/- per month as maintenance but is aggrieved by its uniform fixation from the date of application, which aspect is being considered by this Court.



16. The record reveals that the husband in his cross examination admitted his net monthly salary to be Rs. 70,499/- as prevailing at the time of disposal of the maintenance proceedings and on the basis whereof, the maintenance of Rs.20,000/- per month as fixed by the learned Family Court, when computed against the admitted net monthly salary of Rs.70,499/-, works out to approximately **28.36%** of the net salary of the non-applicant/husband as admitted by him before the Family Court.

17. Though, the applicant/wife in her Criminal Revision No. 1158/2025 has sought enhancement of the maintenance amount awarded, however, in the considered opinion of this Court, the quantum of maintenance fixated by the Family Court on the basis of net salary of the non-applicant/husband is a just and equitable measure of maintenance payable to the applicant/wife.

18. This Court, however, finds merit in the contention raised by the non-applicant/husband that the blanket fixation of Rs.20,000/- per month as maintenance payable with effect from 04.02.2016 may not be appropriate, inasmuch as the salary of the non-applicant/husband on the date of filing of the application in the year 2016 was substantially different from his salary as on the date of his cross-examination/affidavit, and to apply the present quantum of Rs.20,000/- uniformly over the entire period retrospectively from



04.02.2016 would result in an award of maintenance that is disproportionate to the salary of the non-applicant/husband during the initial years.

19. While *Rajnish vs. Neha (supra)* settled the date from which maintenance is payable, it does not, either expressly or by necessary implication, holds that a uniform lump-sum amount of maintenance can be granted retrospectively from the date of filing of application without the same being commensurate to the actual salary earned by the husband during the intervening years. In this regard, it is pertinent to reproduce Para 81 of the said judgment:

"81. A careful and just balance must be drawn between all relevant factors. The test for determination of maintenance in matrimonial disputes depends on the financial status of the respondent, and the standard of living that the applicant was accustomed to in her matrimonial home. [Chaturbhuj v. Sita Bai, (2008) 2 SCC 316 : (2008) 1 SCC (Civ) 547 : (2008) 1 SCC (Cri) 356] The maintenance amount awarded must be reasonable and realistic, and avoid either of the two extremes i.e. maintenance awarded to the wife should neither be so extravagant which becomes oppressive and unbearable for the respondent, nor should it be so meagre that it drives the wife to penury. The sufficiency of the quantum has to be adjudged so that the wife is able to maintain herself with reasonable comfort."

[Emphasis Supplied]

20. The order dated 19.11.2016 passed by the Learned Family court fixing interim maintenance indicates that the net salary of Rs.29,711/- of the non-applicant/husband on the date of filing of the application in February 2016 as



per his salary slip of December 2015, was substantially different from his salary of Rs.70,499/- as admitted at the time of adjudication in his cross-examination. Applying the present quantum of Rs.20,000/- per month uniformly over the entire retrospective period from 04.02.2016 would result in the non-applicant/husband having to pay maintenance at approximately 67% – 45% of his then net salary in the initial years. Such proportion bears no rational relationship to the quantum of maintenance granted on the basis of the net salary on the date of adjudication, and does not commensurate with the actual financial capacity of the non-applicant/husband during each corresponding year.

21. In the considered opinion of this Court, therefore, while the maintenance shall be payable from the date of filing of the application i.e., 04.02.2016, the quantum of maintenance for the retrospective period may not remain static at Rs.20,000/- per month. Rather, for the period from 04.02.2016 to 31.03.2024, the maintenance may be proportionately determined on the basis of the net monthly salary of the non-applicant/husband for each respective financial year, to ensure that the quantum of maintenance is commensurate with the actual earning capacity of the non-applicant/husband during each corresponding period. As far as the period from 01.04.2024 to 30.12.2024 is concerned, the maintenance shall



remain payable at Rs. 20,000/- per month, the same having been determined by the Family Court on the basis of the prevailing net salary of Rs.70,499/- as admitted by the non-applicant/husband during his cross-examination.

22. As already discussed above, for the prayer for enhancement of maintenance by the applicant/wife, this Court finds that the maintenance fixed in the impugned order is just and proper, and no enhancement is warranted at this stage. The applicant/wife shall, however, remain at liberty to seek modification of maintenance before the appropriate court upon a change in circumstances, including any increase in the income of the non-applicant/husband, in accordance with law.

23. Insofar as the prayer for expungement of the observations in paragraphs 34, 36 and 38 of the impugned order is concerned, this Court is of the view that the findings recorded therein by the learned Family Court were made solely in the context of adjudicating entitlement to maintenance under Section 125 of Cr.P.C., which is a summary proceeding and therefore, the apprehension raised by the non-applicant as regards its binding effect in pending criminal trial appears to be misplaced. It is always open for the parties to raise their contentions in the said regard before appropriate forum at appropriate stage. Nothing further is required to be stated on the said aspect.



24. In view of the foregoing discussion and in the given facts and circumstances of the case, this Court issues the following directions:

- I. In view of the fact that the entitlement of the wife to receive maintenance has not been challenged by the non-applicant/husband, and the challenge is put forth only with regard to the quantum of maintenance, the finding recorded by the learned Family Court as regards the entitlement of the applicant/wife to receive maintenance from the non-applicant/husband under Section 125 of Cr.P.C. is affirmed.
- II. The quantum of maintenance at Rs. 20,000/- per month as determined and fixed on the basis of the admitted net monthly salary of the non-applicant/husband on the date of adjudication at Rs. 70,499/- per month by the Family Court is found to be just and equitable in the facts and circumstances of the present case.
- III. The direction issued by the Family Court for the amount of maintenance being payable from 04.02.2016, i.e., the date of filing of the application before the Family Court is in accordance with the mandate of *Rajnish vs. Neha (supra)* and therefore, does not call for any interference. However, the quantum of maintenance for the retrospective period from 04.02.2016 to 31.03.2024 may not be applied at the uniform sum of Rs.20,000/- per month, instead, it shall be



computed in the same proportion of the net monthly salary of the non-applicant/husband for each respective financial year during the said retrospective period. For the period from 01.04.2024 to 30.12.2024, maintenance shall remain payable at Rs. 20,000/- as already determined by the Family Court on the basis of the prevailing net salary of Rs.70,499/- as admitted by the non-applicant/husband during his cross-examination.

IV. Taking into consideration the maintenance of Rs. 20,000/- per month as determined by the Family Court at the time of adjudication, for the purpose of computing the retrospective maintenance from 04.02.2016 to 31.03.2024, the non-applicant/husband shall produce the Income Tax Returns for each financial year commencing from the financial year 2015-2016 up to the year 2023-2024 before the learned Executing Court within a period of 30 days from the date of passing of this order. On the basis of the said Income Tax Returns, learned Executing Court shall ascertain the net monthly salary of the non-applicant/husband for each respective financial year and thereafter, apply the same proportion as applied by the learned Family Court, i.e., Rs.20,000/- on a net monthly salary of Rs.70,499/- to determine the monthly maintenance payable for the period from 04.02.2016 to 31.03.2024.



V. Accordingly, the total amount of maintenance payable to the wife up to the date of passing of the order dated 30.12.2024 shall be quantified, and the said amount shall be paid by the husband within a period of one month from the date of such determination, deducting therefrom any amounts already paid by the non-applicant/husband to the applicant/wife, whether pursuant to the interim maintenance order dated 19.11.2016 or pursuant to the impugned order dated 30.12.2024, for the period from 04.02.2016 to 30.12.2024, paid by the non-applicant/husband.

VI. With effect from 30.12.2024, i.e., the date of the impugned order and going forward, the maintenance shall be payable at the rate of Rs.20,000/- per month, until the same is varied or modified by a competent court upon an appropriate application moved by either party in the event of a change in circumstances, including any change in the salary of the non-applicant/husband.

VII. The prayer of the applicant/wife for enhancement of maintenance beyond Rs.20,000/- per month stands rejected. The applicant/wife shall, however, be at liberty to approach the appropriate court for modification of maintenance upon a change in circumstances.

VIII. In order to meet out the ends of justice and also to protect the interest of the applicant/wife from unnecessary delay in execution of the order



for recovery of maintenance, in case the non-applicant/husband fails to furnish his income tax details before the learned Executing Court within a period of 30 days from the date of passing of this order, the applicant/wife shall be entitled to seek recovery of the maintenance amount at the rate of Rs.20,000/- per month with effect from the date of filing of the application, i.e., 04.02.2016, and the order dated 30.12.2024 passed by the learned Family Court shall stand revived.

25. In view of the discussion hereinabove, both the criminal revisions stand disposed of. Criminal Revision No.1050/2025 filed by the non-applicant/husband stands *partly allowed* to the extent that the blanket fixation of Rs.20,000/- per month as maintenance from 04.02.2016 is modified, and the maintenance for the period from 04.02.2016 to 31.03.2024 shall be recomputed in the same proportion of the net monthly salary of the non-applicant/husband for each respective financial year, as directed hereinabove and for the period from 01.04.2024 to 30.12.2024, maintenance shall remain payable at Rs.20,000/- per month. The Criminal Revision No.1158/2025 filed by the applicant/wife seeking enhancement of maintenance is *dismissed*, with liberty to seek modification before the appropriate court upon change in circumstances.

No order as to costs.



The record of Family Court be returned forthwith.

(AMIT SETH)
JUDGE

AK/-

Shoneek Kapoor.com