

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 4798 of 2020**

With

**CIVIL APPLICATION (FOR INTERIM RELIEF) NO. 1 of 2021
In R/SPECIAL CIVIL APPLICATION NO. 4798 of 2020**

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AMIT S/O ASHOKKUMAR RANGWANI

Versus

SANDHYA SHANKARLAL TALREJA W/O AMIT RANGWANI

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Appearance:

MR.KISHORE PRAJAPATI(6305) for the Petitioner(s) No. 1

MR KUNAL P CHANDIRAMANI(10152) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE B.N. KARIA

Date : 30/11/2021

ORAL ORDER IN SCA-4798 OF 2020

1. By preferring this petition, the petitioner has prayed to quash and set aside the order dated 20.11.2019 passed below Exh.16 of HMP No.467 of 2019 passed by the Family Court No.6, Ahmedabad with all consequential effect.

2. Heard learned advocates for the respective parties.

3. After hearing learned advocates for the respective parties, as per the pay-slip of September-2021, net-pay salary of present petitioner is Rs.58,933/-. While passing the order passed below Exh.16 in HMP No.467 of 2019, no documents of his income were produced by the petitioner and order of Rs.25,000/- was passed towards interim maintenance for the respondent – wife with effect from 03.09.2019 till final disposal of the petition filed under Section 24 of the Hindu

Marriage Act, 1955.

4. Considering the joint request made by learned advocates for the respective parties to remand the matter back to the Family Court, Ahmedabad, this issue is ordered to be returned back to the Family Court, Ahmedabad. The Family Court, Ahmedabad shall decide the issue afresh by giving an opportunity of hearing to the either side and decide the amount of interim maintenance after giving an opportunity to the either side to produce their evidence. The Family Court, Ahmedabad shall decide the issue afresh, within a period of **two months** from the date of receipt of this order. Till then, the petitioner – husband shall continue to pay Rs.25,000/- to the respondent – wife.

5. With the aforesaid observations, present petition stands ***disposed of***.

(B.N. KARIA, J)

ORAL ORDER IN CA-1 OF 2021

In view of the order passed in the main matter i.e. Special Civil Application No.4798 of 2020, present application does not survive and accordingly, the same is ***disposed of***.

(B.N. KARIA, J)

rakesh/