

Case called out. The counsel for petitioner has filed IA.No.I Under Sec.20 R/w Section 23 of PWDV Act and IA.No.II U/Sec.18 of PWDV Act. petitioner and her counsel is present. Heard on IA.No.I and II.

ORDER ON IA NO.I and II

The petitioner has filed application Under Sec.20 R/w Section 23 of PWDV Act, for seeking relief of interim maintenance of Rs.25,000/- per month and litigation expenses till the disposal of petition.

In the accompanying affidavit petitioner submitted that the respondent No.1 totally neglected without providing in maintenance for her maintenance and livelihood, she facing much hardship, financial stringency. She had contended that she had no capacity to work and earn to maintain herself to meet the

daily expenses and medicine expenses and other needs. she prayed for order of interim maintenance of Rs.25,000/- .

At this stage, on perusal of available materials on the record, and also I perused the Sec.23 of DV act as follows:-

Sec.23. Power to grant interim and ex parte orders.—(1) In any proceeding before him under this Act, the Magistrate may pass such interim order as he deems just and proper.(2) If the Magistrate is satisfied that an application prima facie discloses that the respondent is committing, or has committed an act of domestic violence or that there is a likelihood that the respondent may commit an act of domestic violence, he may grant an ex parte order on the basis of the affidavit in such form, as may be prescribed, of the aggrieved person under section 18, section 19, section 20, section 21 or,

as the case may be, section 22 against the respondent.

I am of the opinion that, the petitioner has shown the prima facie case to grant the exparte interim maintenance for daily needs and expenses till disposal of the main petition or interim application. The petitioner has produced marriage card, marriage registration certificate, photographs and record of rights. On perusal of record of rights, it reveals that the family of respondents have owned landed properties. Hence, in my opinion it is just and necessary to grant the exparte interim maintenance to meet the daily and necessary expenses. The purpose of the application will be served if interim maintenance of the Rs.5,000/- is granted, I pass the following

ORDER

I.A.No.I filed by the petitioner is partly allowed. Respondent No.1 is

directed to pay interim maintenance of Rs.5,000/- per month to the petitioner from the date of petition till further order.

Issue emergent notice on IA.No.I and II, exparte interim order and IA, petition notice to respondents by RPAD.

Call on:11.12.2024.

Sd/-

CJ and JMFC., Byadgi.

