

## ORDER

This petition is filed under Section 12 of Protection of Women from Domestic Violence Act, 2005 ('the Act'). The petitioner has prayed for various reliefs under Section 18, 19, 20 and 22 of the Act.

2. The petitioner filed interlocutory application under Section 23 of the Act, praying for an order under Section 18 and 19 of the Act.

3. The petitioner has filed affidavit in support of the interlocutory application.

4. I have perused the petition averments and that of the averments made in the application.

5. The case of the petitioner is that, respondent is her husband and the marriage of the petitioner with the respondent was solemnized on 05-12-2012 at Idga Sahdhi Mahal at Gadag as per the customs prevailing in their muslim community. It was an arranged marriage. The petitioner asserts that at the time of the marriage, the parents of the petitioner gave 20.5 grams of gold ornaments and Rs.50,000/- along with utensils to the respondent. Entire marriage expenses were borne by her parents. Due to their

wedlock they begotten baby boy on 02-04-2016 namely Arahana and a baby girl on 11-12-2019 namely Asiya. The petitioner alleges that at the very inception of the marriage, the respondent did not behave like a duty bound husband. He is working as a bed maker. He is not providing maintenance to the petitioner. He used to beat the petitioner mercilessly and thereby harassing her physically as well as mentally by taking previous issues. All the sincere efforts that were made by the petitioner and her parents to bring peace in the matrimonial relationship of the petitioner and her husband did not yield fruitful result. Due to the ill-treatment and harassment meted out by the respondent and his family members, the petitioner was subjected to depression. However, the behavior of the respondents has not been changed.

6. The behavior and ill-treatment meted out by the respondent made the petitioner depressed. The respondent filed a petition for divorce which the petitioner alleges that the respondent and his family members did not show any love and affection towards her. He never bothered to take back the petitioner. He has virtually deserted the petitioner without providing anything for her livelihood. The petitioner contended that the respondent is an able bodied person having lucrative income. The petitioner needs Rs.30,000/- per month as maintenance for herself and her two small kids. Therefore, the petitioner approached this Court by way of present petition.

7. It is evident from the cause-title of the petition that at present, the petitioner is living away from the respondent. The respondent is said to be the

resident of Karwar. The petitioner has contended that the respondent neglected and failed to maintain the petitioner.

8. Upon perusal of the materials available on record, it *prima facie* makes out that the respondent subjected the petitioner to domestic violence. It also appears that there is likelihood that the respondent may commit an act of domestic violence against the petitioner. Therefore, it is a fit case to pass *ex parte* order to the extent indicated below. Therefore, following:

### **O R D E R**

Pending disposal of the petition respondent is hereby directed to pay a sum of Rs.10,000/- to the petitioner towards interim maintenance.

Respondent is directed not to communicate with the petitioner and her children in any manner and respondent is hereby restrained from committing any act of domestic violence against the petitioner.

Issue notice to the respondent through PI Karwar Town PS.

Call on for 02-04-2024

Sd/-

**Prl.Civil Judge & JMFC-II**

**Karwar**

Application filed under Section 23 of the Protection of Women from Domestic Violence Act is allowed in part.

Pending disposal of petition on merits, the respondents and their family members are restrained from committing any act of domestic violence against the petitioner. 1<sup>st</sup> respondent is directed to pay a sum of Rs.5,000/- per month to the petitioner towards interim maintenance.

Issue notice to the respondents through RPAD, returnable by: 28.10.2016.

The office is directed to issue copies of the order free of cost to the parties to the petition and the Police Inspector, Kadri Police Station.

Petitioner shall bear the process and postal charges.

**ORDER**

Pending disposal of interim application filed under Section 23(2) of the Act, the respondent is restrained from committing any act of domestic violence against the petitioner, until further orders.

Pending disposal of the interim application, the respondent is also directed to pay a sum of Rs.10,000/- per month towards maintenance to the petitioner until further orders.

Respondent is directed not to communicate with the petitioner and her children in any manner and respondent is hereby restrained from committing any act of domestic violence against the petitioner.

Issue notice to the respondents through PI Karwar Town PS [through registered post if RPAD](#) is furnished and PF is paid.

The office is directed to issue copies of the order free of cost to the parties to the petition.

Call on for 02-04-2024

**Prl.Civil Judge & JMFC-II)**  
**Karwar**

ORDER

Pending disposal of the petition respondent is hereby directed to pay a sum of Rs. 10,000/- to the petitioner towards interim maintenance. Respondent is directed not to communicate with the petitioner and her children in any manner and respondent is hereby restrained from committing any act of domestic violence against the petitioner. Issue notice to the respondent through PI Karwar Town PS