



**ORDER BELOW EXHIBIT NO. 07.**

[ Passed on 23<sup>rd</sup> February, 2026]

01] Perused the application and say. Heard both the sides at considerable length. The appellant has prayed to stay the effect, execution and operation of impugned judgment dtd. 21.10.2024 passed by Ld. JMFC (Court No.4), Akola in Misc. Cri. Application No. 1502/2018.

02] It is the contention of appellant that, the respondent No.1 by suppressing real facts from the Court obtained said judgment. In fact, as per settlement between parties he was continuously paying maintenance to respondent but by suppressing said facts and by obtaining exparte order they get passed impugned judgment against him. Thereafter, the respondents have filed application for execution of said impugned judgment and distress warrant is issued against him. Therefore, he prayed to stay said impugned judgment.

03] Per contra, it is the contention of respondents that the appellant is avoiding to pay the amount of maintenance and total amount of Rs.2,97,000/- is in arrears. To avoid payment of said amount, the appellant has filed present appeal belatedly. Therefore, while granting stay they prayed to direct appellant to deposit 75 % of arrears of maintenance amount.

**04]** I have given due consideration to said rival submissions. Whether the respondents have suppressed material facts from Ld. Magistrate and obtained said order will be decided at final hearing of the appeal. But, the fact remains that the amount of maintenance as ordered by impugned judgment is in arrears. The respondents have no source of income to maintain themselves and if stay to the impugned judgment is granted then it will be difficult for them to maintain. Therefore, in the situation while granting stay to the impugned judgment the appellant needs to be directed to deposit the amount of Rs.1,50,000/- within 15 days. Hence, for the said reason, I proceed to pass following order :-

**- ORDER -**

- 01** The application is allowed subject to payment of Rs.1,50,000/- by appellant to the respondent No.1 and 2.
- 02]** The effect, operation and execution of impugned judgment dtd. 21.10.2024 passed by Ld. JMFC (Court No.4), Akola in Mis. Cri. Application No. 1502/2018 (Rajiya Bi Vs. Mehboob) is hereby stayed on payment or depositing above mentioned amount by the appellant in the Court.

Date : 23.02.2026  
Akola.

( Rahul A. Shinde )  
District Judge-3 & ASJ,  
Akola.

**Certificate**

I affirm that the contents of this PDF file are same word for word as per original order.

Name of Steno	: S. D. Tekade, Stenographer (Gr-2).
Court's name	: District Judge-3 and Additional Sessions Judge, Akola
Date	: 23.02.2026
Signed by P.O. on	: 23.02.2026
Uploaded on	: 24.02.2026