



Cri.M.A./307/2025

Kannad Rural

Rukhsarbi Aniskha Vs. Aniskha Alikha

ORDR BELOW EXHIBIT 1

Heard both sides. The non applicant is produced as per warrant. He is represented by Advocate. He is produced in compliance of warrant for non payment of monthly allowance. Till date, the Applicants are paid only Rs. 10,000/-. It is pertinent to note that the Applicant and Opponent have history of matrimonial dispute since many years. Their different matters were pending before this Court itself. The conduct of the Opponent is worthy to be noted as he has failed to pay the maintenance amount in different litigations. The execution petition is also pending against him where he has not paid the amount of civil maintenance. The attitude of the Opponent shows that he just wants to avoid his responsibility with respect to payment of the maintenance amount. The Applicant has pointed out that the petition of Opponent was dismissed before Hon'ble High Court as he did not paid the amount.

Today also, the Opponent has not made any change in his approach. He is not willing to pay any amount. This Court has granted Rs. 5,000/- to be paid to the Applicant from the date of application. i.e. 06.03.2020 in Cri.MA. 126 of 2020. Thus, as on today, only Rs.10.000/- are paid. Hence, it can be said that the order of only two months is complied. It is pertinent to note that one of the Applicants is son of Opponent who is not physically fit.

As the non – payment on behalf of the Opponent appears to be wilful it is fit case where the Opponent is required to be imprisoned as per Section 144 (3) of the BNSS, 2023. Hence I pass following order:

ORDER

1. Opponent Aniskha Alikha is sentenced to imprisonment of 5 months for the non payment of maintenance amount from 06.05.2020 to 06.09.2020 i.e. failure for 5 months payment.
2. If the Opponent pays the outstanding amount for such period of 5 months then he be released by jail authorities.

Date : 17-01-2026

(SHRI V.D. PATIL)

CIVIL JUDGE J.D. J.M.F.C. KANNAD

Kannad,Aurangabad

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