

MHBU010004032020



Criminal Appeal No. 17/2020.

Hemantsing Bharatsing Rajput+6.

V/s.

Nishigandha Hemantsing Rajput.

APPEARANCE :

Mr. R.D. Mehar, Ld. Advocate for the Appellants.

Mrs. Chhaya Jadhav, Ld. APP for the Respondent.

COMMON ORDER BELOW EXHIBIT 21 AND 24.

(Passed on 04.10.2025)

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01. The appellants filed the application (Exhibit 21), for directing the Office of Mahatma Jyotiba Fule Madhyamik Vidyalay, at Buldhana, to furnish salary details of the respondent to adjudicate this appeal in proper prospect. The respondents objected this application, in view of say Exhibit 23, being baseless and asked for its rejection. On the contrary, she moved the application (Exhibit 24), calling Office of Nahata College, Bhusawal to furnish salary details of appellant No.1, for the period from 2018 to 2025. The respondents submitted that it may be considered, as it would also be helpful to remove misunderstanding of the respondent. Heard.

02. Considering the rival submissions, at the outset, it is worth to be noted that being aggrieved by the Judgment of dtd. 05.02.2020, partly allowing D.V. Application No.06 of 2018, the appellants filed this appeal. The record reveals that by this Judgment, appellant No.1 was directed to pay the interim maintenance of Rs. 3,000/- per month from 05.01.2018, the rent of Rs. 5,000/- per month, damages to the respondent to the tune of Rs. 50,000/-, etc.. By this appeal, the appellants disputed this quantum and denied the alleged income of appellant No.1. Additionally, they urged that even the respondent was so gainfully employed at the relevant time. This compelled them to move the application (Exhibit 21). **Moreover**, the record shows that when appellant No.1 tried to obtain her income details, by the letter dtd. 26.09.2023, issued by the said School, he was informed that the respondent instructed the Office '**not to share**' her income details.

Hence, now, he prayed for issuing such directions by this Court. Whereas, even the respondent is not satisfied with income details of appellant No.1 and therefore, she moved the application at Exhibit 24. Notably, appellant No.1 is not seriously assailing her request to furnish such details. On this backdrop, for better appreciation of the facts and the findings recorded by Ld. Trial Court Judge, the financial status of both parties, including their income and mandatory deductions, if any, need to be ascertained and for that cause, they may be called upon to furnish their details on affidavits. Here, it would be worth to mention that this Appeal is about 5 years old. As such, issuing such directions, in view of the present applications, to the said Schools may further protract this matter. Hence, prior to adopt such recourse, it would be appropriate to call the parties to file their respective affidavits, pertaining to their gainful employment since January, 2018, till December, 2024. In the result, I pass the following Order:

-: O R D E R :-

01. Appellant No. 1 and the respondent are directed to file their affidavits, informing this Court their financial status and gainful employment, including their income and mandatory deductions, if any, since January, 2018 till December, 2024.
02. They are further called upon to note that in case deliberate deficiency or intentional defect is found in their statements on Affidavits, the necessary repercussions would follow.
03. The parties to expedite hearing of this Appeal.

Buldhana.  
Dated : 04.10.2025.

(A.G. Santani)  
Addl. Session Judge, Buldhana.  
District : Buldhana.

**Certificate**

“I affirm that the contents of this P.D.F. file Order are same word for word as per original Order.

Name of the Steno. :- C. N. Mahale (Grade-I)

Name of the Court :- Addl. Sessions Judge  
(Court No.3), Buldana

Dictated on :- 04/10/2025

Checked on :- 06/10/2025

Date of Signature of :- 07/10/2025  
Presiding Officer

Date of uploaded :- 07/10/2025