

	PWDVA No. 60 of 2019 Indubai .Vs. Shankar MHCH130019542019
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ORDER BELOW EXHIBIT 54

(Passed on 11th day of April, 2025)

Present application is filed by non-applicant seeking permission of the court to deposit amount of interim maintenance. Called for the say of other side.

2. Non-applicant submitted through this application that, today he is ready to pay the amount of Rs. 2000/- out of the total amount pending against him. Hence, he prayed that this application may kindly be allowed and he be permitted to deposit the amount with the court.

3. Learned advocate for the applicant filed say on the backleaf of the application and strongly opposed it. He submitted that from 05/12/2019 the non-applicant has not paid any amount due against him. Till 22/07/2022 the total amount pending against him is about Rs. 3,10,000/- (Rupees Three lakh, Ten thousand only) and today the non-applicant is paying only Rs. 2000/- which is not even near to considerable amount payable by non-applicant. Hence, he prayed for rejection of this application and insisted for taking accused within custody.

4. Perused the application and record. Heard and considered the submissions of both sides.

5. On perusal of record it appears that the non-applicant is deliberately trying to avoid the payment of money, despite the order of the court. On last date order was passed below exhibit 53, warring the non-applicant to pay at least 10% of the amount due against him. Today the non-applicant is seeking permissison to deposite only Rs. 2000/- (Two thousand only) which is not even near to the considerable amount to be paid by him.

6. Today, if the non-applicant is taken within custody then the pupose of recovery of amount would not be served. Therefore, final opportunity and time is granted to the non-applicant till next date to comply with the order of the court. If the non-applicant fails to pay the amount on next date, or inform this court that how he is going to make further payments, then necessay order will be passed against him. In view of the above mentioned grounds, I pass following order.

ORDER

- I. Application at exhibit 54 is allowed. Non-applicant to pay Rs. 2000/- to the applicant today.
- II. Non-applicant is direcetd to pay considerable amount and inform this court how he is going to make further payment by next date.
- III. Till next date the non-bailable warrant issued against non-applicant be kept in abayance.

-Sd-

(Ashu D. Patel)

Judicial Magistrate First Class,
(Court No. 3), Rajura.

Date :- 11/04/2025
Place :- Rajura