

**Order Below Exh.17 in Cri. M.A. No.145/2022**

This is an application for attachment of respondent's salary for the purpose of recovery of maintenance amount.

02. In short, it is submitted by the applicants that the respondent is evasive in making payment towards interim maintenance and an amount of 2,81,000/- is due from him. It is further submitted that they are in need of money. Hence, it is prayed that the amount of interim maintenance due to them may be recovered by attachment of respondent's salary.

03. On the other hand, the application has proceeded against the respondent without his say.

04. A perusal of order dated 28.04.2022 passed by this court below the application at Exh.4 in Cri.M.A. 07/ 2019 would show that the respondent has been directed to pay to the applicants a sum of Rs. 8,000/- per month towards their interim maintenance and house rent from the date of filing of said application i.e. from 07.09.2019. The applicants have averred that an amount of Rs. 2,81,000/- is due to them from the respondent. The respondent has not contested the present application. The respondent is shown to be employed as a police constable and drawing salary on monthly basis. Under such circumstances, it would be appropriate to order attachment of respondent's salary for the purpose of recovery of aforesaid unsatisfied amount due to the applicants. A perusal of respondent's salary certificate (Exh.19/1) reveals that out of his total emoluments he receives sum of Rs.62,715/- per month as net pay after necessary deductions. Considering the total amount remaining due to the applicants, the sum received by respondent on monthly basis and his other responsibilities, it would be appropriate to issue an order to the D.D.O. of the concerned establishment to attach salary of

the respondent until complete realization of a sum of Rs. 2,81,000/- in 20 monthly installments of Rs.14,050/-. Hence, the following order is passed :-

**ORDER**

- i) The application is allowed.
- ii) Issue warrant in the name of Drawing and Disbursing Officer, Mira Bhayendar Vasai Virar Police Commissionarate, District Thane (DDO Code-1201000456) directing him to attach salary of the respondent and requiring him to withhold a sum of Rs.2,81,000/- (Rupees Two Lakhs and Eighty One Thousand Only) from the same, in 20 monthly installments of Rs.14,050/- (Rupees Fourteen Thousand and Fifty Only) until complete realization of aforesaid amount.
- iii) The Drawing and Disbursing Officer, Mira Bhayendar Vasai Virar Police Commissionarate, District Thane (DDO Code-1201000456) is further directed to directly deposit the aforesaid amount of Rs.14,050/- (Rupees Fourteen Thousand and Fifty Only) in the savings account of the applicant no.1 bearing a/c no.5325165957 maintained with the Central Bank of India, Branch- Dondaicha, Tal. Shindkheda Dist. Dhule, in manner directed above or till further order, if any, is passed.

Sd/-

Place : Dondaicha  
Date : 07/02/2024

(Aditya G. Naik)  
Civil Judge Junior Division,  
Dondaicha

- Certificate -

I certify that the contents of this PDF File are true and correct as per Original Judgment / Order.

Name of the Steno : B. N. Thorat  
Name of the Court : Civil Court Junior Division, Dondaicha.  
PDF Uploading Date : 08/02/2024.

Sd/-

Stenographer (L.G.)