

MHGA090002572024



IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, CHAMORSHI
(Presided Over by Shri. S.A. Bhaisare)

P.W.D.V.A.No. 20/2024

Madhuri Sukhdev Sarpe and 1

--- Applicants

-Versus-

Dashrath Mahadev Sarpe and 2

--- Non-applicants

Appearance- Advocate for Applicants :- V. G. Chilange
Advocate for Non-Applicants :- D. A. Meshram

ORDER PASSED BELOW EXHIBIT 17
(Dated 17-09-2025)

The present application has been filed by the applicant soliciting to direct applicant to provide essential documents and clothes and also to permit her to reside in the house of the non-applicant. The application has been opposed by the non-applicant by filing his say on the overleaf.

2. Perused the application and reply thereon. Heard both the parties.

3. Perused the record. The present case is filed under S.12 of the PWDVA Act. It appears that the applicant has filed a list of documents wherein she has endorsed that she has received documents except documents mentioned in serial no. 1, 6,9 and 10. The documents mentioned at serial no. 6 9 and 10 are the public documents. Public

documents can be obtained under Right to Information Act. Document at serial no.5 is the TC and Birth Certificate of the husband of the applicant. The applicant has failed to show that they are essential for the livelihood of the applicant.

4. However, document at serial no.1 seems to be the birth certificate of the child Devanshu of the applicant i.e applicant no.2. It is a settled law that the interest of the child is of paramount consideration. The learned advocate for the non-applicant has submitted that he has already provided the same and as a result, applicant no.2 has taken admission in the school. However, no document or admission certificate of the applicant no.2 is produced on record.

5. So far as relief to permit the applicant to reside in the house of the non-applicant is concerned, cannot be granted at this stage. Consequently, the following order:

ORDER

1. The application is partly allowed.
2. The non-applicants are directed to handover the birth certificate of the applicant no.2 to the applicant. In alternate, they shall file an undertaking in that regard having no possession of the same.
3. In view of above terms, this application is disposed of.

Chamorshi
Date:- 17/09/2025.

Sd/-
(S.A Bhaisare)
Judicial Magistrate First Class,
Chamorshi.