

MHGA090017682025



Order below Exh. 6 in P.W.D.VA. No. 23/2025

Sau. Rekha Dhanraj Porte **...Applicant.**

Vs-

Shri. Dhanraj Shravan Porte+2 **...Respondents.**

.....
 Learned advocate for applicants - Smt. Kavita Moharkar,

Learned advocate For Non-applicant no.1 - Shri. K. S. Akhade

Learned advocate For Non-applicant no.2 - Shri. Gawde

1] The application Exh.6 has been filed by the applicant for protection order under section 18 and for grant of interim maintenance under section 23 of Protection of Woman from Domestic Violence Act 2005. According to applicant, she is the legally wedded wife of the respondent no.1. The respondent no.1 under the influence of liquor used to beat the applicant and insulting her. The respondent no.1 was neglecting to provide daily needs and grocery to applicant. The respondent no.1 has illicit relationship with the respondent no.3 due to which the applicant is suffering lot of mental stress. The respondent no.1 has neglected to maintain the applicant and has committed Domestic Violence time to time. The respondent no.1 is working as a teacher and he has salary income of Rs.90000/- to 100000/- per month. The respondent no.1 has also source of income from his agricultural land. The respondent no.1 has neglected to maintain applicant. The applicant has no source of income. The applicant is bearing educational expenses of her both son. Therefore, the applicant has prayed to pass protection order prohibiting the respondent no. 1 from approaching the applicant and committing act of physical abuse, verbal and emotional abuse, economic abuse. The applicant has also prayed to grant interim maintenance of Rs.40000/- per month from the respondent no.1.

The applicant also prayed to restrain the respondent no.1 from alienating his movable and immovable properties.

3] The respondent no.1 has filed say at Exh.17 and denied the allegations made by the applicant. It is the contention of the respondent that he has not committed any of the domestic violence alleged by the applicant. The applicant was beating and insulting to the mother of respondent no.1 and the applicant compelled his mother to take shelter at the house of his sister. The applicant was compelling him to transfer the money to her brother Sachin Bobate. The conduct of the applicant was improper with the respondent no.1 and she used to quarrel with him. The applicant is residing with her father at her choice without sufficient reason. The applicant has sufficient income from agricultural land and she is able to maintain herself. The respondent no.1 is bearing educational expenses of his both son. The respondent no.1 has obtained loans from various banks and after payment of EMI of loans, he is surviving on meager balance amount from his salary. Therefore, the applicant is not entitled to relief claimed in the application.

4] Heard both sides. Perused the application and affidavit in support of the application. The applicant has stated the incidents of domestic violence in the application which prima-facie discloses the domestic violence. The respondent has stated in his say that, he is teacher and has source of income. It is the duty of the respondent no.1 to maintain the applicant. From the record, it appears that the respondent no.1 has not made any arrangement for maintenance of applicant. The conduct of not providing maintenance to applicant is one of the form of domestic violence as per the provision in section 3 (IV)(a) which is the economic abuse. The final hearing of the main application will require some time. Therefore, considering the financial standing and obligations of the respondent no.1, the applicant is entitled for reasonable maintenance amount from the

respondent no.1. Therefore, I proceed to pass following order.

ORDER

- 1] Application is partly allowed.
- 2] The respondent no. 1 is hereby restrained from approaching the applicant and committing act of physical abuse, verbal and emotional abuse, economic abuse.
- 3] The respondent no.1 shall pay Rs.6000/- per month to the applicant as the interim maintenance from the date of filing of this application till disposal of main application.
- 4] The copy of this order be supplied to the parties free of cost.

Date :02/04/2026

(Y.J.Valvi)
Judicial Magistrate First Class,
Chamorshi.



Order below Exh. 18 in P.W.D.VA. No. 23/2025

Sau. Rekha Dhanraj Porte **...Applicant.**

Vs-

Shri. Dhanraj Shravan Porte+2 **...Respondents.**

.....
Learned advocate for applicants - Smt. Kavita Moharkar,
Learned advocate For Non-applicant no.1 - Shri. K. S. Akhade
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1] The application Exh.18 has been filed by the applicant for grant of residence order in shared household under section 17 of Protection of Woman from Domestic Violence Act 2005. According to applicant, the applicant is residing with her relatives due to domestic violence committed by the respondent. The applicant has no source of income and the respondent has not provided the shelter to the applicant. The property No.376 of Chamorshi, Tah. Chamorshi, Dist. Gadchiroli is in the name of applicant and the respondent is depriving her right of residence in the said property. Therefore, she has prayed direct the Protection Officer for making arrangement for residence in the said property.

2] The respondent has filed his say at Exh.22 and raised objection. There is no separate room available in the said property if the court allowed the application then the applicant will quarrel with the respondent and with her mother. There is risk to the life of respondent and his mother from the applicant. There will be strange situation if the applicant permitted to reside in the said property. The respondent is ready to make alternate arrangement for residence of applicant at Chakalpeth, Tah. Chamorshi, Dist- Gadchiroli. Therefore, he prayed to reject the application.

3] Perused the record. Heard both sides. It appears from the record that the applicant is the legally wedded wife of the respondent. The applicant has no source of income. The respondent has not made

arrangement for her shelter. The Form No.43 of house property No.376 of Chamorshi, Tah. Chamorshi, Dist. Gadchiroli prima facie shows that, applicant is the owner of said property. The applicant has right to reside in shared household. Therefore, I proceed to pass following order.

ORDER

- 1] Application is allowed.
- 2] The respondent shall provide residence to applicant in house property No.376 of Chamorshi, Tah. Chamorshi, Dist. Gadchiroli.
- 3] The Protection Officer shall comply the said order. The copy of this order be supplied to Protection Officer.
- 4] The copy of this order be supplied to the parties free of cost.

Date :02/04/2026

(Y.J.Valvi)
Judicial Magistrate First Class,
Chamorshi.

CERTIFICATE

I affirm that the contents of this P.D.F. file are word to word same, as per original Judgment.

Name of Stenographer : Mr. S.N.Khandekar, Stenographer
(Grade-3)

Name of Court :Civil Judge (Jr.Dn.) &
JMFC, Chamorshi.

Date of Judgment/Order : 02/04/2026.

Judgment checked and
signed by Presiding Officer on : 02/04/2026.

Judgment uploaded on : 02/04/2026.