

MHKO010003852025



**PWDVA Appeal. No.03/2025**

**Amit Hindurao Mane & Ors. .. Appellants.**

**V/s.**

**Priyanka Amit Mane .. Respondent**

**Order below Exh.9**

1. Present application is filed by the appellants for stay of impugned order passed in D.V.Appln.No.22/2022. It is stated that Ld. Trial Court has partly allowed said application and has granted monthly maintenance of total Rs.9,000/- to be given to the respondent and the child.

2. Ld. Advocate for the appellants submitted that in addition to said amount, Rs. 3,000/- per month is granted towards rental amount. He has challenged the said impugned order by way of present appeal. He submitted that the appellant No.1 is earning Rs. 12,000/- per month. Therefore, it is not possible for him to pay monthly amount as granted by the Ld. Trial Court.

3. Ld. Advocate submitted that the Trial Court passed order in absence of pleadings and in absence of evidence and if the said impugned order is not stayed then,

the appellant shall suffer irreparable loss. He submitted that appellant No.1 is ready to deposit Rs. 1,00,000/- in the Court towards maintenance amount.

4. I have considered submissions of the appellants. The matter is not on board today. But, was taken on board by Ld. Advocate for the appellants by intimating the other side. He has also filed affidavit of service in that respect. The stay application was filed on 08/04/2025. Thereafter, the matter was posted on three different occasions, however the respondent has not filed say to said application. Prima facie, it appears that it is necessary to go through entire Record & Proceeding, which will take some time. Meanwhile, it is necessary to stay the impugned order by imposing condition. Hence, I pass following order:

**ORDER**

1. The application is partly allowed subject to depositing of Rs. 1,00,000/-(Rs. One Lakh only) out of arrears in the Court.
2. Order dated 21/12/2024, passed by Ld. J.M.F.C. (Court No.1) Kagal in PWDVA Appln.No.22/2022 is stayed till next date.
3. Inform Ld. Trial Court accordingly.

Kolhapur.  
Dated:25/07/2025

( Mrs.Aparna S. Waikar )  
District Judge-5, Kolhapur.

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

Name of the Stenographer	Sou.S. R. Tambvekar
Name of Court	Smt. Aparna S. Waikar, District Judge-5, Kolhapur.
Date of Dictation	25/07/2025
Order signed by the P.O. on	25/07/2025
Order uploaded on	25/07/2025