


MHKO070000252025 	P.W.D.VA.No.1/2025 Smt. Sharada Aappanna Harage Vs. Sunil Appanna Harage and another
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ORDER BELOW EXH. NO.05

The present application is filed by the applicant for interim maintenance u/s.20 and 23 of the Protection of Woman from Domestic Violence Act, 2005 (for brevity called as “Act”). Applicant is the mother of opponents. Applicant has prayed for interim maintenance from the opponents.

2. Read the application. Also, read the say filed by the opponents. The application proceeded ex-parte against the opponent No.2.

3. Applicant submitted that, applicant is the mother of the opponents. The daughter of the applicant namely Mahadevi has caused an accident at the age of ten and died in the said accident. The husband of the applicant is died on 29/03/2008. The applicant has subjected with the physical, economical and mental cruelty by the opponents on the grounds mentioned in the application. Opponents has not look after to the applicant. The opponents has not made any arrangement of the livelihood of the applicant. Applicant has no any source of income and applicant is unable to maintain herself. Opponents are earning as per the contention in the application. For that reason applicant prayed for allowing the present interim application.

4. The opponents No.1, 3 and 4 has filed their separate say. Opponents submitted in the say that, applicant has no any locus-standi to file present application against the opponents. The present application is based on the vague allegations. Opponents has not subjected to the applicant with any kind of cruelty. Opponents are executing their legal and moral responsibilities. Opponents are ready to give the common expenditure as per the order of the Court to the applicant. Hence, prayed for necessary order be passed.

5. Admittedly, applicant is the mother of the opponents. Both the parties have made allegations against each other about their family responsibilities and duties. Considering the allegations of both the parties, it needs to take evidence on record. But, at this stage it would not be just and proper to go into the merit of the case. It is no doubt that, there is a family dispute arises between applicant and opponents. The applicant in her application contended that, applicant was subjected with the physical, economical and mental cruelty as pleaded in the application. This fact needs to be proved on the basis of evidence. The applicant is residing separately. She has filed the present application on 03/01/2025. During the mean time, opponents has not made any arrangement for her food and cloths and other daily requirements. It is the responsibility of the opponents to maintain the applicant and provide basic necessity of her. Applicant has not produced documentary evidence about the exact income of opponents.

6. Considering the stage of the matter, it will be improper to go into the merit of the case. The applicant has filed her affidavit in support of the application. Applicant has filed her asset and liability affidavit in support of her application. Domestic incident report is on

the record. Hence, there are prima-facie grounds to believe that the opponents has committed the domestic violence with the applicant. Being the son of the applicant, opponents are bound to maintain the applicant and satisfy her daily basic needs. In such circumstances, it would be just and proper to grant the interim maintenance to the applicant for her basic livelihood. Considering the living standard of both the parties and basic needs of the applicant, it would be just and proper to provide interim maintenance to the applicant. Applicant has not produced on record any document in relation to the expenses of rent household. Applicant has not produced on record the documents in relatio to the medical expenditure. Considering the stage of matter the final conclusion regarding the compensation can not be decided at this stage. Hence applicant is not entitled for the said relief. Considering the age of applicant the reasonable interim maintenance amount needs to be granted. Hence, the present application needs to be partly allowed. Hence, the following order.

ORDER

- 1] Application is partly allowed.
- 2] Opponent no.1 to 4 are directed to pay interim maintenance of Rs.2000/- each [Rs.Two Thousand only each] to the applicant per month from the date of application till the final decision of main application.
- 3] Opponent No.1 to 4 are hereby directed not to commit any act of violence with the applicant.
- 4] The police station officer of concerned police station are hereby directed to take effective steps for the

implementation of order as stated in para 3 of the operative part.

- 5] The copy of the present order be given free of costs to the applicant.
- 6] The prayer which is not granted be taken as rejected.
- 7] Parties to take note accordingly.

(A. T. Mangire)

Date:- 15/04/2026

Judicial Magistrate First Class, Court No.1,
Jaysingpur, Tal.Shirol, Dist.Kolhapur

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

Name of the Stenographer	Sou. P. S. Musale
Name of Court	Jt.C.J.J.D.& J.M.F.C., Jaysingpur.
Date of Dictation.	15/04/2026.
Judgment/order signed by the PO on	15/04/2026.
Judgment/order uploaded on	15/04/2026.