

MHKO120005112023



P.W.D.V.A.Appln.No.15/2023

(CNR No.MHKO120005112023)

Order below Exh.18

Perused the application and say of non applicants. Heard both sides. Applicant No.1 has sought to give direction to non applicant No.1 to produce copy of ration card, which is necessary for obtaining Caste Certificate in order to avail the educational benefits.

02. Non applicants opposed the application on the ground that he is residing in joint family. He is having clashes with his family members. He is not in custody of ration card. I consider submissions of both sides. No doubt the ration card is necessary for seeking the caste certificate and other documents from Government authority. The future of applicant No.2 cannot be spoil due to disputes of applicant No.1 and non applicant No.1. Be that it may, the non applicant is not having custody of ration card. As per Section 28(2) of P.W.D.V.Act, 2005 which states that "the Court can decide application by following own procedure. As the P.W.D.V.Act is beneficial legislation which has given upper hand to woman, who suffer atrocities within four corners of house. Hence, I think it would be proper to give direction to the non applicant No.1 to file the affidavit to be sorn before Nazir of this Court contending his contentions in the affidavit and needs to be given

to the applicant to produce same copy of affidavit before Government authority. Hence, I pass following order.

ORDER

- 1) Non applicant is directed to file the affidavit to be sworn before Nazir of this Court contending about non availability of ration card in his possession.
- 2) Applicants are at liberty to produce the copy of said affidavit before proper authority in order to obtain the caste certificate.

Date : 16/08/2024

(V. V. Kulkarni)
Judicial Magistrate First Class,
Gargoti