



PWDVA No. 10/2023

**Seema @ Jayshri Balwant @ Baliram Arekar Vs.
Balwant @ Baliram Sakharam Arekar etc.05**

CNR - MHKO130003312023

ORDER PASSED BELOW EXH.21
(Dt. 01/01/2024)

- 1] This application is filed by applicant to attach the salary of non-applicant who is serving as Driver with Maharashtra State Transport Corporation (Ajara Depot).
- 2] According to applicant, non-applicant has not paid interim amount. Hence, by this application it is prayed to attach the salary of non-applicant by issuing appropriate direction to concern employer of non-applicant.
- 3] Say to this application is filed by non-applicant below Exh.23. According to non-applicant, this application is filed arising out of interim order. Further, the non-applicant has preferred appeal against the order passed below Exh.5. It is argued that, this application is filed to harass the non-applicant. Further, the relief prayed by this application is wrong as the order of this court may be alter in appellate court. Therefore, it is prayed and argued to reject this application.
- 4] Perused the record. Heard both the parties.
- 5] Admittedly, there is no stay in appeal. The order below Exh.5 is passed on 21/08/2023 with effect from filing of application. Further, the applicant has filed on record the necessary details where the non-applicant is working for gain. Considering, nature of his job and

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unpaid amount by non-applicant, it is just and proper to attach salary of non-applicant up to Rs.8,000/- as prayed by applicant per month till further order in appeal. Issue letter accordingly to the concern head of Maharashtra State Transport Corporation (Ajara Depot) for deducting salary of non-applicant up to Rs.8,000/- per month till further order.

Sd/-

Kagal.

Date:- 01/01/2024

(B. D. Gore)

Judicial Magistrate First Class
(Court No. 1), Kagal.