


MHKO140006562024 	P.W.D.VA. Application no.33/2024 Sampatti Alias Spruha Rohit Jadhav Vs. Rohit Balasaheb Jadhav
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ORDER BELOW EXHIBIT- 16/A

(Date- 08/12/2025)

1. The non-applicant no.1 to 3 have filed the present application and prayed to issue direction to the applicant to produce the documents of house property where she is residing. It is submitted that, the applicant in the present application in her affidavit of asset and liability submitted that she is residing in the house of Jagadguru Sadashiv Gorule, but she has not filed any document of the said house. Said document is necessary in order to decide the matter on merit because the applicant has prayed for the relief of resident order. If the document is filed on record then inference as to the ownership and cultivation of said house can be drawn and it would help in deciding the matter on merit. Hence, present application.
2. The learned advocate for applicant filed say and raised strong objection. It is submitted that, the contents of the present application are false and filed with intention to prolong the matter. The applicant is residing at her parental house and has no right over the said house. The non-applicants have caused domestic violence and compelled her to leave the house of non-applicants. Hence, she is residing with her parents. Hence, application is not tenable and liable to be rejected.
3. Perused the record. Heard learned advocate for both side. The applicant has filed present matter under section 12 of the P.W.D.V. Act., 2005 and thereby prayed for various relief including the relief of resident order. The criteria for deciding those relief are that the applicant has to

prove that she is subjected to domestic violence at the hands of non-applicants. In order to decide the monetary relief and resident order, the applicant has to prove that the non-applicants have sufficient income to pay the monetary relief. The applicant on affidavit stated that, she is residing in the house of Jagadguru Sadashiv Gorule. So the ownership of the house of said Jagadguru Sadashiv Gorule is not in dispute in the present matter. If the non-applicants are claiming that the said house is owned by the applicant, then the burden of proof will be on the non-applicants to prove the said fact by adducing sufficient evidence. Hence, it would not be proper to call for the documents of the said house property where the applicant is currently residing. Accordingly, I pass following order.

ORDER

The application is rejected.

Date :- 08.12.2025

(Waman D. Jadhav)
Judicial Magistrate First Class,
Chandgad.