

MHKO160001412014



ORDER BELOW EXH. 123 IN

P.W.D.V.A.No. 2/2014

(Kalpana Patil Vs. Rajesh Patil)

1. Non-applicant is present before Court. Amount of Rs.1,58,000/- is due from the non-applicant but non applicant has not complied with the order of maintenance. Non-applicant only paid amount of Rs.5,000/-.
2. The record shows that the non applicant despite various opportunities to pay the remaining amount failed to pay the remaining amount. The record shows that non applicant was made default for payment of maintenance.
3. It appears from the record that non applicant paid only 38,000/- after issuance of warrant. Applicant was directed to pay the remaining amount but he is not ready to pay the remaining amount.
4. Applicant and her 3 daughters are waiting for fruits of the order from 2014. Applicant has not source of income. The non applicant as a husband responsible to maintain applicant, nevertheless non applicant is avoiding his duty by not paying the amount. Thus, in such situation this Court has no alternative but sent non applicant in jail by awarding default sentence. Considering all these facts and circumstances and the law laid down by our parent High Court that such sentence shall not exceed one year, I pass following order.

ORDER

1. The non applicant Rajesh alias Chandrakant Namdev Patil is herewith sentenced to suffer simple imprisonment for one month

for the non payment of arrears fo maintenance amount for the two months default.

2. It the non applicant will deposit an amount of Rs.1,58,000/- he shall be released forthwith.
3. Copy of this order be given to non applicant free of cost.

Shahuwadi
Date : 03/10/2025

[S. D. Bagal]
Judicial Magistrate First Class,
Malkapur-Shahuwadi