

**IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS),
15TH COURT, MAZGAON, MUMBAI.**

C. C. No. 103/DV/2022

**ORDER BELOW APPLICATION SEEKING INTERIM RELIEFS DATED
16.12.2022**

1] This application is filed by petitioner wife under section 23 of The Protection of Women from Domestic Violence Act, 2005 (In short 'DV Act') against respondent husband for grant of interim maintenance.

2] The petitioner prayed to consider the facts narrated by her in main application Exh.1 as contents of this application. Brief facts of petitioner's case are that, the petitioner was married to respondent No.1 on 21.11.2011 at Kashi Vishwanath Temple, Nalguni, Gokarna, Kumtha as per Hindu Rites and rituals. Out of said wedlock, they have two children namely Disha and Kriteek. The petitioner family has given gold and silver jewellery, cash and brass utensils as gifts at the time of marriage of petitioner with respondent No.1. After marriage, the petitioner started residing with respondents at North Karnataka. From the second day of marriage, the family of respondent started troubling her. The petitioner used to wake up early in the morning and was doing all house cores. The petitioner observed that the respondent gave credit of their marriage to wife of his brother, i.e. his "wahini", but she showed dissatisfaction to the solemnization of marriage of petitioner and respondent. There was interference of wahini and her daughter in the life of petitioner. She was warned by the neighbours about relationship between respondent and his wahini. The petitioner was informed by wahini that during her pregnancy, the respondent took her to the doctor and not her

husband. But when petitioner was pregnant with her child, respondent never took her to the doctor and never took her care. The respondent asked the petitioner to go with wahini.

3] During her pregnancy, the respondent used to talk with her wahini and did not take her care. The respondent and his family members did not take her care during her pregnancy, so she suffered miscarriage. She had suffered total three miscarriages and was to undergo one abortion. When petitioner was pregnant for second time, respondent brutally beat her in the car at the time of Ganpati Festival as the petitioner requested him to take her to visit her relatives which the respondent had promised to the petitioner. In January 2018, the petitioner and respondent's son Kriteek felt ill when he was merely 8-9 months old. He had loose motions and vomiting. He was admitted to hospital at Ankola Village near Gokarna. He was admitted in the hospital for five to six days, but thereafter also there was no improvement in his health. When the petitioner was with her son in the hospital, no one from respondent's family visited the hospital.

4] In June – July 2015, the petitioner's grandmother passed away and just within a month, her maternal uncle namely Shiv had passed away due to shock. The petitioner's entire family was present at Gokarna for their last rites, however petitioner was not allowed to join them for her grandmother and uncle's last rites. The petitioner was pregnant at that time and had lost two of very important persons however respondent asked her to accompany him to Singapore. One day, when they went for shopping on the trip, the respondent and petitioner started fighting as the respondent insisted the petitioner to buy for their wahini, whatever the petitioner bought for

herself. The respondent did not let the petitioner to buy anything solely for herself. When they were returning, the luggage was heavy and the petitioner was made to carry it all. The petitioner subsequently started bleeding after returning to India and suffered a miscarriage.

5] Mother-in-law of the petitioner used to serve her brother-in-law and wahini food during festivals. However, she never prepared or served food to the petitioner and her children but served it only to the respondent. The respondent asked the petitioner to go back and live with her parents in Mumbai and he would visit her once or twice and he did not wish to live with her anyway. The petitioner was absolutely disappointed after hearing and asked the respondent as to why he got married then ? The respondent after hearing the question, hit the petitioner so hard on the back that she fell down with new born son in her hands. The respondent in a fit of rage broke the petitioner's mangalsutra, erased the vermilion off the petitioner's forehead and poured cold water over her in front of their children. The respondent was so furious that he tore the clothes of petitioner and kept beating her black and blue. After this incident, petitioner's family, cousins, friends, etc had come and they all tried to reason with the respondent as to why he beat up the petitioner so brutally. The respondent did not let the petitioner and their children go to Mumbai with petitioner's parents. The petitioner was staying back at Gokarna only for her children's future, hoping that one day everything will be alright.

6] During Gudi Padva Puja, the respondent and his mother forced the petitioner and snatched her mobile and called petitioner's parents and asked them to take the petitioner away. The respondent told petitioner's

family that he will divorce the petitioner and they should take her away. After coming back to her parent's house, the petitioner hoped that the respondent would realize his mistake and would understand the petitioner and their children's value. The petitioner waited for the respondent to come to Mumbai to resolve the issues and take the petitioner and their children back with him. But at the time of Vat Savitri in June 2019, respondent came to visit but he went to home of neighbour. The respondent levelled all sorts of allegations and started revealing private information. The respondent was not ready to give any written commitment regarding he will not harass petitioner in future.

7] Thereafter, the respondent filed application for guardianship and custody of children bearing G and W No.1 of 2021 under section 7 and 25 of Guardian and Wards Act before the Hon'ble Senior Civil Judge, Kumta and the petitioner filed reply to the said application. As per order of the Court, the respondent has been granted liberty to talk to the children on phone everyday and visitation rights in every 2 weeks, but the respondent had made only one single call to the children till date and has never visited them. The petitioner tolerated all the abuse and did not file any complaints, trying to save respondent's reputation and political career in hope that respondent would value her someday. The petitioner contended that she has faced tremendous mental and physical cruelty at the hands of respondent.

8] It is further stated that the petitioner and her family are not financially very strong. The respondent is a wealthy man and has lot of money and properties. He owns jewellery showroom, number of immovable properties, investments, etc.. The respondent is powerful personality in

Gokarna and has also recently been named as Coastal Development Authority of Uttara Kannada. Though the respondent is so wealthy, he never sent a single penny for the expenses of petitioner and their children. The respondent does not even bother to speak to them or buy them birthday gifts. The respondent merely tries to harass the applicant by threatening her, filing court proceedings and using his political connection. The petitioner's family is taking care of and fulfilling the needs of petitioner and her children. Therefore, the petitioner prayed to allow her application.

9] The respondent No.1 filed his reply at Exh.4. The relationship between parties is not denied. It is stated that the petitioner herself left the house of respondent without any valid reason and the respondent has also gone to his mother-in-law's house to bring the petitioner back but she refused to return to matrimonial house. Therefore, the respondent preferred petition under section 9 of Hindu Marriage Act, 1955 for restitution of Conjugal Right at Civil Court, at Kumta and an order came to be passed in said application, but the petitioner did not comply the order. The respondent was always ready to take back the petitioner and children to live happily with them and has shown his ability to take care of them. He has looked after the education of the children and at the time of their medical crisis.

10] The respondent denied all the allegations done against him by petitioner regarding domestic violence. He denied the alleged contentions of petitioner of inclination of respondent towards his sister-in-law and her interference in their life. He denied that he has not taken care of petitioner during her pregnancy and neglected to the health of petitioner. He denied that he has not taken care of the children during their illness. He denied that he

has beaten to the petitioner and threatened her life trash. The respondent also denied other contentions of petitioner regarding his behaviour. It is denied that after lock down was announced, he did not take care of the petitioner and the children and threatened the petitioner to initiate legal proceeding against her. He denied that he is wealthy man having lot of money and property and he is a powerful personalty in Gokarna. He submitted that he is ready and willing to pay all school fees of children. It is submitted by respondent that the petitioner claimed very huge amount as maintenance. Her father is having house in the Centre of Mumbai having market value more than Rs.2 Crores. Till this date, the petitioner has no complaint against her parents about their non willingness to allow her to reside with them in said house. So there is no need of separate accommodation. It is further submitted that he has not committed any domestic violence, hence, he prayed to reject the application.

11] Ld. Counsel for the petitioner filed written notes of argument at Exh. 19 and the Ld. Counsel for respondents filed written notes of argument at Exh.22. I have perused the written submissions of both parties and also heard their oral submissions. Perused affidavit of disclosure of Assets and Liabilities filed by both parties.

12] The petitioner has relied upon following Judgments, I have gone through ratio laid down in cited cases and considered it :-

- (1) Rajnesh Vs. Neha and another Criminal Appeal No. 730 of 2020,
- (2) Kaushalya Vs. Mukesh Jain, (2020) 17, Supreme Court Cases 822,
- (3) Premdeep Vs. Bhavana, 2020 SCC Online Bom 308 : (2020) 2 AIR Bom R (Cri) 465 : (2020) 2 Bom Cr. (Cri) 84

13] Considering the contentions of both sides, following points arise for my consideration, I have recorded my findings against each of them with the reasons thereon :-

Sr. No.	POINTS	FINDINGS
1]	Whether the petitioner prima facie proves alleged domestic violence to her at the hands of the respondents ?	In the affirmative
2]	Whether the petitioner is entitled for grant of interim monthly maintenance for herself as prayed by her?	Partly affirmative
3]	Whether the petitioner is entitled for interim residence order as prayed by her?	Partly affirmative
4]	What order?	As per final order

AS TO POINT NO. 1 :-

14] The petitioner has to prove prima facie that, she was subjected to domestic violence at the hands of respondents. For that purpose, it is necessary to peruse the definition of 'Domestic Violence' under the DV Act.

Section 3 – Definition of domestic violence.

For the purposes of this Act, any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it—

- (a) harms or injures or endangers the health, safety life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or

- (b) harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or
- (c) has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or
- (d) otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

Explanation I.— For the purposes of this section,—

- (i) “physical abuse” means any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of the aggrieved person and includes assault, criminal intimidation and criminal force;
- (ii) “sexual abuse” includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of woman;
- (iii) “verbal and emotional abuse” includes—
 - (a) insults, ridicule, humiliation, name calling and insults or ridicule specially with regard to not having a child or a male child; and
 - (b) repeated threats to cause physical pain to any person in whom the aggrieved person is interested.
- (iv) “economic abuse” includes—
 - (a) deprivation of all or any economic or financial resources to which the aggrieved person is entitled under any law or

custom whether payable under an order of a court or otherwise or which the aggrieved person requires out of necessity including, but not limited to, household necessities for the aggrieved person and her children, if any, stridhan, property, jointly or separately owned by the aggrieved person, payment of rental related to the shared household and maintenance;

- (b) disposal of household effects, any alienation of assets whether movable or immovable, valuables, shares, securities, bonds and the like or other property in which the aggrieved person has an interest or is entitled to use by virtue of the domestic relationship or which may be reasonably required by the aggrieved person or her children or her stridhan or any other property jointly or separately held by the aggrieved person; and
- (c) prohibition or restriction to continued access to resources or facilities which the aggrieved person is entitled to use or enjoy by virtue of the domestic relationship including access to the shared household.

Explanation II.— For the purpose of determining whether any act, omission, commission or conduct of the respondent constitutes “domestic violence” under this section, the overall facts and circumstances of the case shall be taken into consideration.

15] From the reading of very definition of the term 'Domestic

Violence', it is clear that, it includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse. In this case, petitioner has filed affidavit in support of her application (Exh.1) and on affidavit, she stated that she was subjected to domestic violence. She was tortured by respondents.

16] In this case, the stage is of deciding application for interim reliefs claimed by the petitioner. So, there is no evidence on oath on record at this stage. The material is in the form of statements of petitioner, denial of respondent and documents. So, it is to be seen whether there is prima facie material to come to a conclusion about alleged domestic violence. The respondent No.1 has denied all the allegations of the petitioner regarding giving mental and physical harassment to her. But the petitioner has described about all said instances of mental and physical abuse faced by her on affidavit and Exh.1. At the stage of deciding application for interim relief, the statement of petitioner on affidavit can be relied. The contents of application supported with affidavit of petitioner show allegations against respondent of alleged incidents of mental and physical abuse and it is sufficient to prima facie establish that the petitioner was subjected to domestic violence. Hence, I answer Point No.1 in the affirmative.

AS TO POINTS NO. 2 AND 3 :-

17] These points are interlinked with each other, hence, for the sake of convenience, all are discussed simultaneously.

18] The petitioner is praying for various interim reliefs. According to her, she is unable to maintain herself and not having any source of income. So

she is claiming interim maintenance amount from respondent. The respondent No.1 has denied said contentions of the petitioner and according to him, application is false and frivolous and it is liable to be dismissed as petitioner has not cited any cogent reason for seeking reliefs.

19] I rely upon the Landmark Judgment of **Rajnesh Vs. Neha and another, (2021) 2 Supreme Court Cases 324**, in which the Hon'ble Supreme Court has framed various guidelines on the issue of maintenance, format of affidavit of disclosure of assets and liabilities, consequences of failure to file affidavit, overlapping jurisdiction under different enactments for payment of maintenance, payment of interim maintenance, the criteria for determining the quantum of maintenance, the date from which maintenance is to be awarded and enforcement of orders of maintenance in matrimonial proceedings. As this case involves grant of interim maintenance, it is necessary to reproduce some of the important and relevant guidelines which are as under :-

- “(72.1) *The Affidavit of Disclosure of Assets and Liabilities annexed at Enclosures I, II and III of this judgment, as may be applicable, shall be filed by the parties in all maintenance proceedings, including pending proceedings before the concerned Family Court / District Court / Magistrate’s Court, as the case may be, throughout the country;*
- (72.2) *The applicant making the claim for maintenance will be required to file a concise application accompanied with the Affidavit of Disclosure of Assets;*
- (72.3) *The respondent must submit the reply alongwith the Affidavit of Disclosure within a maximum period of four weeks. The Courts may not grant more than two opportunities for submission of the Affidavit of Disclosure of Assets and Liabilities to the respondent. If the respondent delays in filing the reply with the Affidavit, and*

seeks more than two adjournments for this purpose, the Court may consider exercising the power to strike off the defence of the respondent, if the conduct is found to be willful and contumacious in delaying the proceedings. On the failure to file the Affidavit within the prescribed time, the Family Court may proceed to decide the application for maintenance on basis of the Affidavit filed by the applicant and the pleadings on record;

(72.4).....

(72.5).....

(72.6).....

(72.7).....

(72.8) The pleadings made in the applications for maintenance and replies filed should be responsible pleadings; if false statements and misrepresentations are made, the Court may consider initiation of proceeding u/S. 340 Cr.P.C., and for contempt of Court.

(III) Criteria for determining quantum of maintenance :-

(77) The objective of granting interim / permanent alimony is to ensure that the dependent spouse is not reduced to destitution or vagrancy on account of the failure of the marriage, and not as a punishment to the other spouse. There is no straitjacket formula for fixing the quantum of maintenance to be awarded.

(78) The factors which would weigh with the Court inter alia are the status of the parties; reasonable needs of the wife and dependent children; whether the applicant is educated and professionally qualified; whether the applicant has any independent source of income; whether the income is sufficient to enable her to maintain the same standard of living as she was accustomed to in her matrimonial home; whether the applicant was employed prior to her marriage; whether she was working during the subsistence of the marriage; whether the wife was required to sacrifice her employment opportunities for nurturing the family, child rearing, and looking after adult members of the family; reasonable costs of litigation for a non-working wife.

- (79) *In Manish Jain v. Akanksha Jain*, this Court held that the financial position of the parents of the applicant-wife, would not be material while determining the quantum of maintenance. An order of interim maintenance is conditional on the circumstance that the wife or husband who makes a claim has no independent income, sufficient for her or his support. It is no answer to a claim of maintenance that the wife is educated and could support herself. The court must take into consideration the status of the parties and the capacity of the spouse to pay for her or his support. Maintenance is dependent upon factual situations; the Court should mould the claim for maintenance based on various factors brought before it.
- (80) On the other hand, the financial capacity of the husband, his actual income, reasonable expenses for his own maintenance, and dependent family members whom he is obliged to maintain under the law, liabilities if any, would be required to be taken into consideration, to arrive at the appropriate quantum of maintenance to be paid. The Court must have due regard to the standard of living of the husband, as well as the spiraling inflation rates and high costs of living. The plea of the husband that he does not possess any source of income ipso facto does not absolve him of his moral duty to maintain his wife if he is able bodied and has educational qualifications.
- (81) A careful and just balance must be drawn between all relevant factors. The test for determination of maintenance in matrimonial disputes depends on the financial status of the respondent, and the standard of living that the applicant was accustomed to in her matrimonial home. The maintenance amount awarded must be reasonable and realistic, and avoid either of the two extremes i.e. maintenance awarded to the wife should neither be so extravagant which becomes oppressive and unbearable for the respondent, nor should it be so meagre that it drives the wife to penury. The sufficiency of the quantum has to be adjudged so that the wife is able to maintain herself with reasonable comfort.
- (82) ...
- (83) ...
- (84) The Delhi High Court in *Bharat Hedge v Saroj Hegde* laid down the

following factors to be considered for determining maintenance :

1. *Status of the parties.*
2. *Reasonable wants of the claimant.*
3. *The independent income and property of the claimant.*
4. *The number of persons, the non-applicant has to maintain.*
5. *The amount should aid the applicant to live in a similar lifestyle as he/she enjoyed in the matrimonial home.*
6. *Non-applicant's liabilities, if any.*
7. *Provisions for food, clothing, shelter, education, medical attendance and treatment etc. of the applicant.*
8. *Payment capacity of the non-applicant.*
9. *Some guess work is not ruled out while estimating the income of the non-applicant when all the sources or correct sources are not disclosed.*
10. *The non-applicant to defray the cost of litigation.*
11. *The amount awarded u/s 125 Cr.P. C. is adjustable against the amount awarded u/24 of the Act.*

c) *Where wife is earning some income-*

(90) The Courts have held that if the wife is earning, it cannot operate as a bar from being awarded maintenance by the husband. The Courts have provided guidance on this issue in the following judgments.

(90.1) In Shailja & Anr. v Khobbanna, this Court held that merely because the wife is capable of earning, it would not be a sufficient ground to reduce the maintenance awarded by the Family Court. The Court has to determine whether the income of the wife is sufficient to enable her to maintain herself, in accordance with the lifestyle of her husband in the matrimonial home. Sustenance does not mean, and cannot be allowed to mean mere survival.

(90.2) In Sunita Kachwaha & Ors. v Anil Kachwaha, the wife had a postgraduate degree, and was employed as a teacher in Jabalpur. The husband raised a contention that since the wife had sufficient income, she would not require financial assistance from the husband. The Supreme Court repelled this contention, and held that merely because the wife was earning some income, it could not be a ground to reject her claim for maintenance.

(90.3) *The Bombay High Court in Sanjay Damodar Kale v Kalyani Sanjay Kale while relying upon the judgment in Sunita Kachwaha (supra), held that neither the mere potential to earn, nor the actual earning of the wife, howsoever meagre, is sufficient to deny the claim of maintenance.*

(90.4) *An able-bodied husband must be presumed to be capable of earning sufficient money to maintain his wife and children, and cannot contend that he is not in a position to earn sufficiently to maintain his family, as held by the Delhi High Court in Chander Prakash Bodhraj v Shila Rani. The onus is on the husband to establish with necessary material that there are sufficient grounds to show that he is unable to maintain the family, and discharge his legal obligations for reasons beyond his control. If the husband does not disclose the exact amount of his income, an adverse inference may be drawn by the Court.*

(90.5) *This Court in Shamima Farooqui v Shahid Khan cited the judgment in Chander Prakash (supra) with approval, and held that the obligation of the husband to provide maintenance stands on a higher pedestal than the wife.”*

20] In this case, it is necessary to mention that, the petitioner and respondent No. 1 have complied with directions given by the Hon'ble Supreme Court in the Case of Rajnesh Vs. Neha by filing affidavit of disclosure of Assets and Liabilities. On perusal of affidavit filed by petitioner, it can be seen that the petitioner has not mentioned any source of income in the statement of income. She stated that she is dependent on her parents and staying with them. She has claimed Rs.1,00,000/- to Rs.1,50,000/- for herself as interim maintenance amount, Rs.40,000/- per month as house rent, Rs.63,000/- as school expenses for son and Rs. 35,000/- to 40,000/- for her daughter's school expenses and Rs.20,000/- to Rs.25,000/- as other household expenses. She has also prayed to provide one BHK house to live with her children. She has

prayed for maintenance amount for previous three years prior to filing of this application.

21] The petitioner has shown the income of respondent No.1 as Resort owned by him, jewellery shop and political background and income of more than Rs.5,00,000/-. On the other hand, respondent No.1 has filed his affidavit at Exh.17. He has shown his occupation as business of jewellery works and sales. He has not shown any person dependent upon him. He has mentioned that he is staying in the house owned by his parents at Lalbaug, Mumbai. He has shown his expenses more than Rs.1,00,000/-. He has shown himself as the owner of Shri Chamundeshwari Jewellery Works and monthly income Rs.31,651/-. He has shown income from rent as Rs.41,666/-. He has shown various liabilities of car loan, housing loan and business loan upon him. He has filed Income Tax returns of the years 2019-2020, 2020-2021 and 2022-2023. In the Income Tax return of 2022-2023, he has shown his total income as Rs.9,68,660/-. In balance sheet dated 31.03.2022, he appears to hold land at Hugli, Koodle land, land near Gokarna, at Yellapur and house property and other movable property of worth Rs.1,65,58,361.00. So, it is clear that the petitioner is not able to earn. On the other hand, respondent No.1 is having income source from business and he is holding land and properties. It also appears from the record that since the date of separation, the respondent No.1 has not provided any amount for maintenance of the petitioner and their children.

22] In this case, it is clear that petitioner is not capable to earn. The Hon'ble Supreme Court in the case of Rajnesh Vs. Neha has held that, "*A careful and just balance must be drawn between all relevant factors. The test*

for determination of maintenance in matrimonial disputes depends on the financial status of the respondent and the standard of living that the applicant was accustomed to in her matrimonial home. The maintenance amount awarded must be reasonable and realistic, and avoid either of the two extremes i.e. maintenance awarded to the wife should neither be so extravagant which becomes oppressive and unbearable for the respondent, nor should it be so meagre that it drives the wife to penury. The sufficiency of the quantum has to be adjudged so that the wife is able to maintain herself with reasonable comfort.”

23] In this case, the petitioner is living with her parents and not having any separate residence place. It is clear from the record that respondent No.1 has not provided any maintenance to her and children. It is also admitted that both children are residing with petitioner and they are school going children. She has claimed interim monthly maintenance of Rs.1,00,000/- to Rs.1,50,000/- for herself as interim maintenance amount, Rs.40,000/- per month as house rent, Rs.63,000/- as school expenses for son and Rs. 35,000/- to 40,000/- for her daughter's school expenses, Rs.20,000/- to Rs.25,000/- as other household expenses.

24] Therefore, considering the affidavit of petitioner and respondent No.1, it can be seen that respondent No.1 is a businessman. He is holding land and house property and also having income source from rent by giving property on rent. It is also clear that he has not provided any maintenance to petitioner and children. Both the children are taking education. Therefore, from her affidavit and documents on record, petitioner has shown prima facie that she was subjected to domestic violence at the hands of respondents. She

is not capable to maintain herself. She has shown prima facie that respondent No.1 has not provided any maintenance to her after filing of this proceeding. Therefore, in my view, petitioner is in need of interim maintenance amount for herself and her children and respondent No.1 is capable to pay interim maintenance to her.

25] Hence, considering needs of petitioner and income of the respondent No.1, in my view it is justified to direct the respondent No.1 to pay Rs.25,000/- to the petitioner and Rs.15,000/- each to their minor children namely Disha and Kritik towards monthly interim maintenance. He is also directed to pay Rs.15,000/- per month towards rental charges for her residence in rented premises. He is also directed to pay Rs.60,000/- each for annual school fees and other educational expenses of both children to the petitioner in the month of June of every year till disposal of main petition. Therefore, I answer Point No.2 and 3 as partly affirmative.

AS TO POINT NO. 4 :-

26] In view of my partly affirmative finding to Points No. 2 and 3, application is to be partly allowed. Accordingly, I pass following order :-

ORDER

- 1) Application for interim maintenance is partly allowed.
- 2) The respondent No.1 is directed to pay interim maintenance amount of Rs.25,000/- to the petitioner and Rs.15,000/- each to their minor children namely Disha and Kritik towards monthly interim maintenance from the date of filing of the application dated 16.12.2022 till the final decision of this case.

- 3) The respondent No.1 is directed to pay Rs.15,000/- (Rupees Fifteen Thousand Only) per month as rent amount to the petitioner from the date of filing of the application dated 16.12.2022 till the final decision of this case.
- 4) The respondent No.1 is directed to pay Rs.60,000/- each for annual school fees and other educational expenses of both children to the petitioner in the month of June of every year till disposal of main petition. The respondent No. 1 shall pay amount of Rs.1,20,000/- as amount of annual school fees and other educational expenses of both children for the current educational year 2025-2026 to the petitioner within one month from the date of this order.
- 5) No order as to costs.
- 6) Copy of this order be supplied to parties free of cost as per Section 24 of the Protection of Women from Domestic Violence Act, 2005.

Date :- 11.06.2025

(S. D. Panjwani)
Judicial Magistrate (First Class),
15th Court, Mazgaon, Mumbai.