IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS),
32ND COURT, BANDRA, MUMBAI.

C.C. No. 167/DV/2024
CNR No.MHMM18-012827-2024

Samiksha Sameer Kamble … Applicant

Vs.

Sameer Govind Kamble ...Respondents

Order below application for interim relief.

1. Perused the application, affidavit, documents on record. The Ld. Advocate for applicant and The Ld. Advocate for applicant has filed written arguments at Exh-13.

2. The applicant's allegations shows that, the applicant has suffered domestic violence at the instance of the respondent. Applicant claims that the respondent is working with Private Company at Navi Mumbai and having salary of Rs.30,000/- per month. Applicant prayed for interim maintenance of Rs.15,000/- per month jointly for her and her children. She prayed for protection order and residence order under Section 19 of the said Act. She also prayed for relief under Section 18, 19, 20, 21, 22 & 23 of Protection of Women From Domestic Violence Act, 2005.

3. The respondent filed his say at Exh-4 and he totally denied all the contentions of applicant. He admitted the relationship and birth of one daughter and one son. He submitted that all the contentions are false, fabricated and concocted stories and full of false heinous allegations. The applicant has deliberately twisted the material facts to

suit her convenience and to misguide and mislead this Hon'ble Court. The applicant's sole aims to only extort money from the respondent by abusing the various provisions of law. The applicant is taking advantage of her own wrongs and hence not entitled for any of the relief as claimed by her in the complaint. He is innocent and falsely implicated in this case. The respondent is drawing salary of Rs.15,000/- per month and not Rs.30,000/- per month. He prayed for rejection with heavy cost to applicant.

4. Both applicant and respondent have filed their Income and Assets Liabilities Affidavits on record. The respondent has stated in his affidavit that he is working as Nail Technician in Namaste Salon and earning Rs.15,000/- plus Rs.5,000/- incentives. The respondent has not filed any documents to show his exact income. The applicant has not submitted any documentary proof to show Rs.30,000/- p.m. income of the respondent.

5. After perusal of the Record, it appears that respondent admitted the relationship. But, he has submitted about the previous facts, which happened between applicant and respondent. The applicant is residing separately alongwith her children. The applicant is claiming Rs.15,000/- as monthly maintenance and other prayers. The applicant has not filed the income documents of respondent. The respondent declared his income as Rs.15,000/- + Rs.5,000/- incentives per month. The applicant has claimed that respondent has one flat but the description of the same is not given. No document showing ownership is also produced on record. Though his parents dependent on him, he cannot deny the responsibility of his wife and children. Though applicant has claimed several other prayers including residence order,

protection order etc. but reliable information or documents are not proved to support the said claims. The respondent is absent since 19.08.2025. This also shows that his neglect or refusal to maintain the applicant is suffering from various ailments like high BP and other since filing of the application. During proceeding, the applicant is suffered a brain stroke and got paralyzed and is now bedridden. The report of the same is filed on record. Therefore, it is the statutory right of applicant to get medical expenses alongwith interim maintenance. The authenticity of other claim needs to be decided after proper scrutiny of the evidence. Therefore, in such facts and circumstances, applicant is entitled for interim maintenance alongwith medical expenses.

6. Deciding the quantum of maintenance the income declared by the respondent needs to be considered. According to respondent his monthly income is Rs.15,000/-. The applicant is a homemaker and has not independent source of income of her own. Both children being minor and school going, need no independent proof to show that they are unable to maintain themselves. In the peculiar circumstances of the case, the applicant is entitled to Rs.2,000/- per month and her children are entitled to Rs.1,500/- each. So the respondent shall pay total Rs.5,000/- per month from the date of application for wife and children. Considering the medical condition, the applicant is also entitled to Rs.2,500/- per month for medical expenses from the date of application. The respondent shall pay Rs.7,500/- from the date of application.

7. In view of this and stage of proceedings, the application deserves to be allowed partly. Hence, following order :-

ORDER

i) Application is partly allowed.

ii) The respondent No.1 shall pay monthly maintenance to the applicant Rs.2,000/- and her children Rs.1,500/- each, total Rs. 5,000/- per month from the date of application.

iii) The respondent No.1 shall pay monthly Rs. 2,500/- per month towards medical expenses of applicant from the date of application.

iv) Copy of this order be given to both the parties free of cost.

v) One copy of the order be sent to the concern police station.

Digitally signed by SWARA SAMEER PARKHI
Date: 2026.07.18 17:31:09 +0530

(S.S. Parkhi)
Judicial Magistrate (First Class),
32nd Court, Bandra, Mumbai.

Date : 18.07.2026
Mumbai
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