

**ORDER BELOW EXH.1-A**  
(Passed on 6<sup>th</sup> day of August, 2025)

The applicant has filed the present application under section 23 of the Protection of Women from Domestic Violence Act, 2005 for interim maintenance till final disposal of the case.

2. It is the contention of applicant that non-applicant no.1 is her husband. Their marriage was solemnized on 08.04.2017. After the marriage, the non-applicants have started ill-treating her. She has stated several incidents of the domestic violence in her main application. The ill-treatment of the non-applicants forced her to file the present application. Therefore, she prayed for interim maintenance till pending of the main application.

3. On the other hand, the non-applicants have filed their reply vide Exh.08. They have admitted their relationship with the applicant but denied all adverse allegations against them. They have given the information of first marriage of non-applicant no.1 to the applicant and her relatives. Non-applicant no.1 is competent to keep physical relations. The applicant used to give him mental and physical harassment. She was pregnant and she forcibly aborted her child. The applicant used to go to her maternal house without telling the non-applicants and used to stay there for 8 to 10 days. Therefore, the gap came in their relationship. The applicant used to take the income of non-applicant no.1 and give it to her father. Therefore, in the year 2018, he compelled to close the business of footwear. She used to quarrel with them for petty reasons. Non-applicant no.2 was staying at first floor of the house. Despite this, the applicant used to give them mental agony. She forced non-applicant no.1 to reside separately at the rented premises. She intended to take the property of non-applicant no.1. He is not earning anything. Non-applicant no.1 is depending on non-applicant no.2. He is entitled for

maintenance of Rs.10,000/- from the applicant. Therefore, he prayed to reject the application.

4. Heard learned Advocate for the applicant at length. Ld. Advocate for the non-applicant failed to argue. While deciding the present application, prima-facie case is to be seen. The allegations of domestic violence made by the applicant are specific. The applicant is residing at rented house. She has stated that non-applicant no.1 has not made any arrangement for her livelihood. It amounts to economic abuse/violence as defined under the Domestic Violence Act, 2005 which is the part of domestic violence.

5. The applicant has claimed Rs.25,000/- per month as interim maintenance and Rs.7,000/- per month as rent. It is contention of the applicant that non-applicant no.,1 is doing footwear business in the name of Alishan Boot House and he is earning Rs.50,000/- per month. Apart from it, he is having house bearing property no.257 at Khoja Layout, Katol and share in joint property bearing property no.16 at Katol. The applicant has filed her affidavit (Exh.10) stating her assets and liabilities. She has stated on oath that she has no source of income. On the other hand, non-applicant no.1 has filed his assets and liabilities affidavit (Exh.11) stating his assets and liabilities. He submitted that he is not doing any work. He earns Rs.4000/- per month as a rent. The applicant is working as a teacher in Arvind Indo Public School, Katol since 2018 and earning Rs.15,000/- per month.

6. At this stage, there is nothing on record to show the exact income of non-applicant no.1. It is duty of the non-applicant to state his exact income as it is a particular fact within his knowledge. But, he failed to give proper details of his income. Even for the sake of argument, if we consider that he is a unskilled worker then also an

unskilled worker gets normally Rs. 350/- to 400/- per day. It means, an unskilled worker can at least earn Rs. 9,000/- to 10,000/- per month. There is nothing on record to show the applicant is working as a teacher and having source of income.

7. Considering the nature of dispute, stage of the matter, documents and standard of living of parties, I find that at this stage Rs. 2,500/- per month towards interim maintenance to the applicant would suffice the ends of justice. As prima-facie it appears that domestic violence has taken place, the applicant is also entitled for the protection order. It is legal duty of non-applicant no.1 to look after the applicant. The applicant is partly entitled to the relief claimed. Hence, I pass the following order-

**OPERATIVE ORDER**

- a) The application is partly allowed.
- b) Non-applicant no.1 shall pay Rs.2,500/- (Rupees Two Thousand and Five Hundred Only) to the applicant per month towards interim maintenance from the date of main application i.e. from 20.11.2023 till further order.
- c) The non-applicant shall not commit any act of domestic violence with respect to the applicant.

Copy of this order be provided free of cost to the parties.

(Dictated and pronounced in open court.)

Date:- 06.08.2025

(Smt.Sneha R. Jadhao)  
Judicial Magistrate, First Class,  
(Court No. 2), Katol, Dist.Nagpur.

**ENDORSEMENT**

Case Argued on	:	06.08.2025
Order dictated on	:	06.08.2025
Transcription Ready on	:	06.08.2025
Order checked and signed off	:	06.08.2025

**CERTIFICATE**

I affirm that the contents of the this PDF file of order are same word to word, as per the original order.

**Name of the Stenographer**    :-         A.Y.Kulkarni (Gr-III)