

Criminal Misc. Appln. No. 38/2021
Savita Punje Vs. Sushil Punje

ORDER BELOW EXH. 20
(Date 21st March, 2024)

1. This application has been filed by the applicant to attach salary of the non-applicant No. 1 for the arrears of the maintenance amount Rs. 2,10,000/-.
2. Heard learned advocates of the both parties at the length.
3. The applicant has submitted that this court has passed order below Exh. 2 dtd. 09.04.2022 and granted maintenance Rs. 2,000/-each per month to the applicants from the date of 11.02.2021. But, the non-applicant has failed to pay maintenance amount which is a due of 35 months i.e. 2,10,000/-. The non-applicant No. 1 is working as a driver in Maharashtra State Road Transport Corporation in Hinganghat Bus Depo. Therefore, applicant has prayed to attach salary of the non-applicant No. 1 and recover maintenance amount.
4. The non-applicant has filed his say on the application and stated that application is not tenable, NBW already sent, but not received back. Non-applicant temporary appointed as driver in daily wages in S.T. Depo. Applicant residing in non-applicant's house. Application need to the reject with cost.

5. Perused the record it appears that on 09.04.2022 this court has passed order below Exh. 2 and granted interim maintenance of Rs.2,000/- per month to each applicants. Applicants are three. Non-applicant No. 1 appeared in this matter. But, he has not paid single rupee to the applicants. The applicants have need amount for their maintenance. As per the conduct of the non-applicant No. 1 he is deliberately not complying order of the court. Therefore, to comply order of this court it is a just and proper to attach his salary. Hence, I pass the following order.

ORDER

1. The application is allowed.
2. The Head of in-charge of Maharashtra State Road Transport Corporation in Hinganghat Bus Depo has directed that he shall deduct Rs.6,000/- from the salary of the non-applicant No.1 and be deposited it in the account of the applicant No.1 per month till the recovery of the amount Rs. 2,10,000/- (Rs. Two Lacs only).
3. The applicant No.1 has directed that she shall submit her bank account copy in the court as early as possible.

Sd/-

Date: 21.03.2024
Kalmeshwar

(R. L. Rathod)
Judicial Magistrate First Class,
(Court No. 2) Kalmeshwar.