

**H.M.P No. 52/2025**  
Abhijitsingh Vs. Jyoti

**ORDER BELOW EXH. 15**  
(Passed on 02.05.2026)

This is an application for grant of interim maintenance under Section 24 of the Hindu Marriage Act, 1955.

2. It is contented by the respondent that, her marriage with the petitioner took place on 09.05.2022 at Mowad Tq. Narkhed. After marriage, she went to reside with petitioner at Khed, Tah. Morshi, Dist. Amravati. After marriage, the petitioner treated the respondent properly for few days and thereafter the petitioner and his parents ill-treated the respondent to compel her to leave the matrimonial house. The petitioner used to come late night under the influence of liquor and on asking about it, the petitioner used to abuse her. Due to ill-treatment, she used to remain ill, but the petitioner and his family members did not take her medical care. The petitioner continuously pressurized the respondent to leave the matrimonial home. Therefore, she informed about it to her parents. Accordingly, her brother came to take her on 13.06.2023. Since then, she is residing at her parental home but the petitioner never came to fetch her and not provided any maintenance to her till today. She delivered a daughter on 15.01.2023. The petitioner never came to see the respondent and her daughter despite informing him. Her parents incurred expenses near about Rs. 1,00,000/- of her delivery

and seizure. The petitioner neglected and refused to maintain her and her daughter. She is unable to maintain herself as she has no source of income. While, the petitioner own his ancestral house. The petitioner own and possess the agricultural land Survey No. 117/2, admeasuring 3.97 H.R., Survey No. 14/3, area 1.73 H.R., situated at mouza Khed. The agricultural land of the petitioner is well irrigated. He earns more than Rs. 10,00,000/- per year income from the agricultural land. The petitioner is a politician and he is a gram panchayat member. His financial position is very sound and he is not having any other liability except to maintain the respondent and her daughter. The minimum requirement of the respondent is Rs. 15,000/- per month for herself and for a daughter she required Rs. 10,000/- for food, medicine etc. She has to attend the court from Mowad to Katol with one family member for attending this proceeding. She is required to travel from bus stop to court, therefore she has to spend an amount of Rs. 500/- to Rs. 700/- per date towards travelling charges. The respondent further required the amount of Rs. 50,000/- to contest the matter. Hence, it is urged to grant Rs. 15,000/- for respondent and Rs. 10,000/- for her daughter total amounting to Rs. 25,000/- per month with further directions to the petitioner to pay Rs. 50,000/- towards litigation expenses and Rs. 700/- for attending the Court.

3. The petitioner has strongly resisted the application by filing reply vide Exh. 19. It is contented that, after marriage the respondent cohabited with the petitioner only for 5 to 6 days. On the

first night itself, the respondent told the petitioner that she does not like the husband of black colour. She has performed the said marriage due to pressure of the family members. She told him that she does not like him. She opposed to have physical relations with him on the first night on 10.05.2022. On 11.05.2022, she made phone call to her brother to take her for 4<sup>th</sup> day ceremony at her parental home. Her brother took her at her parental home and thereafter she did not turn back at her matrimonial house. He made phone call to the respondent but she denied to come back. The petitioners father and uncle made phone call to the relatives of the respondent and arranged the meeting at Mowad. In the said meeting also, respondent denied to have cohabitation with the petitioner but in the pressure of her family members she came to cohabit with him but her behaviour was not changed. She used to pick-up the quarrel with him. She cohabited for about 5 to 6 days and then the respondent by calling her brother at her matrimonial home went at her parental home. She took all her jewelry with her. The petitioner being the member of the Gram Panchayat is the responsible person in the society. He is not having habit of drinking liquor. The respondent used to pressurize him mentally and used to insult his parents. In June 2022, she by calling her brother went at her parental home. Despite all efforts by the petitioner, the respondent did not turn. The respondent is a highly educated. She also run the sewing machine and earns Rs. 300/- to Rs. 400/- per day. She is having the milk business and earns Rs. 4000/- to Rs. 5000/- per month. She is not having any responsibility. While, the petitioner's parents are depend upon him. The petitioner is the

only karta of his family. Hence, he cannot pay the maintenance to the respondent. On these premises, it is urged to reject the application.

4. Perused the record. Heard the learned counsels for both the parties. Following points arise for my determination and I record my findings thereon for the reasons given below :-

| <b>Sr. No.</b> | <b>Points</b>   | <b>Findings</b>                |
|----------------|---|--------------------------------|
| 1.             | Whether the respondent has made out case for grant of the interim maintenance ? | Yes                            |
| 2.             | What order ?  | Application is partly allowed. |

### **REASONS**

#### **AS TO POINT NO.1 AND 2 :**

5. As stated earlier, the marriage between the petitioner and respondent is not dispute. However, if the main petition and the say to the instant application is perused, the petitioner contented that the respondent resided only for 7 to 8 days and therefore she asked the respondent as to how she may have daughter and in reply the respondent threatened him and told not to ask her about it. Though, the petitioner has denied the paternity of the daughter of the respondent, however, if his affidavit of asset and liability is perused, in details of children, he has shown one daughter namely Ritika aged about 3 years. The contention raised by the petitioner in this regard needs the evidence.

6. At the time of deciding this application, it is not required to dwell into allegations and counter allegations made by the parties. Marital tie is admitted fact. Their marriage is solemnized on 09.05.2022 at Mowad, Tq. Narkhed, Dist. Nagpur. Said couple was blessed with a daughter namely Ritika who is aged about 18 months and presently she is in the custody of the respondent. The parties have parted their way away from long back in June 2022.

7. There is nothing on record to show that since the respondent is residing separately from the petitioner, he has made any arrangement of the respondent and her daughter. It is not in dispute that the respondent at present is residing at her parental home. She is having a daughter of 3 years old. Though, it is contented that the respondent by running the sewing machine earns Rs. 300/- to Rs. 400/- per day and from dairy farming she is having income of Rs. 4000/- to Rs. 5000/- per month, however no prima-facie material is produced in this regard to show that she run the sewing machine and having the dairy farming. As such, the contention of the petitioner without any documentary evidence cannot be accepted.

8. The respondent has filed the copy of 7/12 extract of the field bearing Gat No. 117/2 and 94/3. It appears that Gat No. 117/2 admeasuring 3.97 H.R. stands in the name of one Vijaysingh Rajpalsingh Bais, Rekha Vijaysingh Bais and Abhijitsingh Vijaysingh Bais. However, the respondent has not made it clear that what is the relations between Vijaysingh Bais and the petitioner. The another

7/12 extract 94/3 admeasuring 1.73 H.R. stands in the name of father of the petitioner. As such, it has come on record that the respondent is having agricultural land in his joint family and I hold that the petitioner would have sufficient income from said field as being the karta. Further, even if it is considered that the respondent does the labour work, considering the today's date of wages, the petitioner would easily earn Rs. 10,000/- to 12,000/- per month. Therefore, he can easily pay the maintenance to the respondent.

9. The petitioner being the husband of the respondent, is liable to maintain the respondent and their daughter. Prima-facie, there is nothing on record to show that respondent has any independent source for her support. Therefore, prima-facie at this stage, she is entitled for interim maintenance as per Section 24 of the Hindu Marriage Act. Considering the facts, circumstances, the living standard of both the parties, the day to day needs of the respondent and their daughter, food, clothing, shelter, residence and their medical needs, by way of interim maintenance, an amount of Rs.4,000/- p.m. to the respondent and an amount of Rs.2,000/- p.m. to daughter will be just and proper. Hence, I answer point No.1 in the affirmative and in answer to point No.2, I pass the following order.

### **O R D E R**

1. The application Exh. 15 is partly allowed.
2. The petitioner is directed to pay Rs. 6,000/- per month (Rupees Six Thousands Only) to the respondent

towards interim maintenance from the date of application i.e. 11.08.2025 till further orders (Out of the amount of Rs. 6,000/- Rs. 2,000/- is towards the maintenance and support of their daughter namely Ritika)

3. The petitioner shall also pay Rs.8,000/- (Rs. Eight Thousands only) towards litigation expenses to the respondent.

4. The petitioner shall also pay Rs.400/- (Rs. Four Hundred only) to the respondent towards traveling expenses, whenever she attend the Court and proceed with the matter.

5. If any amount is granted to the respondent and her daughter u/s. 125 of Cr.P.C., or under P.W.D.V. Act or under any law under the head of maintenance, then this amount of maintenance shall be adjusted in that amount.

Katol  
Dt. 02.05.2026

( M.Z.A.A.Q. Quraishi)  
Civil Judge Senior Division,  
Katol.

**CERTIFICATE**

I affirm that the contents of this pdf file of Judgment are word to word, as per original judgment.

Name of Stenographer : P. T. Mandale, (Stenographer Gr. II)  
attached to Civil Judge (Sr.Dn.), Katol.