

**ORDER BELOW EXH. 4 IN CRI. M.A. NO. 254/2018**

**(CNR No. MHNS13-001242-2018)**

**Neeta V/s Sandeep**

Read the application and say filed by respondents. Perused record. Heard both the Counsels.

2] Original application is filed under the provision of Section 125 of the Code of Criminal Procedure.

3] Facts of the case are that, the respondent is husband of applicant. After marriage she went to the house of respondent for co-habitation. Since the beginning respondent started giving ill treatment to applicant on one or other pretext. Their relation became strained. Now, the applicant is residing with her parents. Hence, the present application is filed.

4] Respondent by filing say at Exh. 13, resisted the application. It is submitted on behalf of respondent that, the application is filed on false and concocted grounds. During her stay with the non applicant, she never lived happily. She used to pick-up the quarrel with the non applicant and threatened him of dire consequences. Further it is submitted that, respondent is already ordered to pay Rs. 4,000/- as interim maintenance to applicant in divorce petition. Considering that amount, he would not be in a position to pay more amount to the applicant and prayed to reject the application.

5] It could be seen from the record that, the relation with the applicant is not denied by the non applicant. Admittedly, the applicant is residing with her parents. It is not the case of the respondent that, he had made some arrangement for her lively-hood. Further, there is less possibility of conclusion of the trial in the nearest future. Hence, in result following order is passed.

**ORDER**

- 1] Application is partly allowed.
- 2] Respondent is directed to pay Rs. 700/- per month to the applicant from the date of filing of this application as interim maintenance.

Date :-03/04/2019.

Sd/-xxx  
( Vijay C. Gawai)  
Judicial Magistrate First Class,  
Pimpalgaon (B), Tal. Niphad.