

MHPA110002802015



THE COURT OF CIVIL JUDGE, SENIOR DIVISION,
GANGAKHED, DIST. PARBHANI.

(Presided over by : G. B. Yadav)

Spl. C.S. No.17 of 2015

Sandhya W/o Sureshkumar Narute

Vs.

Sureshkumar S/o Mayappa Narute & Ors.

ORDER BELOW EXH.81.

(Passed on 05.08.2026)

1. This is an application filed for attachment of salary for recovery of interim maintenance Rs.5,10,000/-. It is contended that, since the passing of order of interim maintenance defendant has not paid the amount despite of having salary. Plaintiff had to live frugal life, therefore Ld. Advocate requited to direct the Head Master Zilha Parishad Primary School Gudapur, Tq. Jat, Dist. Sangli to deduct Rs.25,000/- from the salary of defendant no.1 and deposit it to the account of plaintiff.

2. Ld. Advocate for the defendant strongly opposed the application and submitted that, appeal against the order of interim maintenance was pending and therefore defendant not complied the and as per order of this Court defendant has paid Rs.2,20,000/- and application become infructuous and therefore he requested to reject the application.

3. The present suit has been filed for grant of Civil maintenance

and for creating charge on agricultural property owned by defendants. My Ld. Predecessor allowed the application below Exh.5 on 10.02.2017 and granted interim maintenance @ Rs.5,000/- per-month from the date of Order. Since the date of order till today time period of 9 years 5 months and 26 days has been lapsed and thereby interim maintenance of 114 month is due and recoverable from the defendant. Defence of defendant was also struck out but while allowing application at Exh. 77 for setting-aside defence struck off order this court has directed the defendant to pay Rs.2,00,000/- and accordingly amount has been paid. Even the at application at Exh. 77 he also paid Rs.20,000/- and thereby paid an amount of Rs.2,20,000/-. The total amount for the 114 months comes at Rs.5,70,000/- out of which 2,20,000/- has been paid still an amount of Rs.3,50,000/- is due and recoverable from the defendant. The present case is pending since more than 10 years and still the evidence of plaintiff not concluded, record speaks that time and again plaintiff had to file different applications seeking recovery of maintenance and thereby matter is prolong.

4. When it is clear that the order passed below Exh. 5 for interim maintenance is still intact and from the calculation above as on today an amount of Rs.3,50,000/- due and recoverable. In such circumstances to make the smooth functioning of this trial and to prevent plaintiff from filing various application for recovery of maintenance it would be justifiable to direct the Head Master of the School where defendant is serving to deduct the amount and deposit in the account of plaintiff and also informed to this Court. Ld. Advocate for the defendant informed to the Court that defendant had to pay maintenance in proceeding under section 125, D.V. Act, Divorce Petition as well. Upon inquiry it reveals that, defendant had to pay in

all Rs.3,700/- as maintenance in proceeding of maintenance and D.V. Act and Rs.1,000/- in the Divorce Petition. The entire episodes speaks that defendant had to pay in all Rs.9,700/- per month in all proceedings but it is still due and recoverable from the defendant due to one or another reason. Considering all these aspects following order would meet the ends of justice.

ORDER

- 1- Application Exh. 81 is allowed.
- 2- Head Master of Zilha Parishad Primary School Gudapur, Tq. Jat, Dist. Sangli is directed to deduct Rs.10,000/- per month from the salary of defendant Sureshkumar Mayappa Narute and deposit in the account of plaintiff bearing no.37118775905 in State Bank of India,(Copy annexed of the first page of pass book) under intimation to this Court till recovery of Rs.3,50,000/- and thereafter Rs.5,000/- each month till the disposal of this Suit.
- 3- Plaintiff is directed not to file any application in this suit for recovery of maintenance, if amount is deposited in her account.
- 4- Parties are directed to co-operate to this Court to dispose of 10 years old matter.
- 5- Issue letter accordingly.

Date:- 05.08.2026

(G.B. Yadav),
Civil Judge, Senior Division,
Gangakhed.