

MHPU090068522025

PWDVA No.206/2025



Mrs. Sugandha Gurdeep Singh **Applicant...**

Vs

Mr. Gurdeep Harpal Singh **Respondent...**

ORDER BELOW PRAYER OF INTERIM MAINTENANCE

(18/03/2026)

This is an application filed by the applicant under sec. 23 and various provision of the Protection of Women from Domestic Violence Act, 2005 (for short 'the DV Act'). The applicant by way of this application claims interim maintenance of Rs.50,000/- per month.

02. As per contention of the applicant, the applicant is wife of the respondent. The marriage of the applicant and respondent took place on 14/02/2008 at Pune as per Shikh Religion rites and ceremonies. Applicant has narrated incident of domestic violence committed by respondent in detail in application. As per her contention, since 04/02/2022 the applicant resides separately from respondent.

03. Respondent has filed his say on 10/10/2025 and resisted contention of present application. As per contention of respondent the applicant had left cohabitation of this respondent by her own will. She is doing private job in D.Y.Patil

college, Pimpri as a computer operator from which she earned Rs.50,000/- per month. Respondent is an Army retired person and he get monthly pension of Rs.26,000/-, his old age mother and father depend on him. The applicant is employee and no one depend on her therefore, she can pay a monthly maintenance amount to the respondent. Lastly he prayed for the interim application filed by the applicant be rejected, as this application is based on false and bogus fact.

04. Perused the application, say and affidavits of assets and liabilities filed by the both parties. Heard both sides at length. The points which arise for my determination along with my findings thereon are as below.

Sr. No.	Points	FINDINGS
01.	Is there a prima-facie proof of the domestic violence ?	...Yes.
02.	Whether the applicant is entitled to the interim maintenance as prayed?	...Partly Yes.
03.	What order ?	As per final order.

05. The Ld. advocate for applicant submitted that the applicant is a helpless lady. She is unable to maintain herself. She is subjected to domestic violence and the allegations made on affidavit are prima-facie proof of it. The applicant is residing with her parents. She is unable to maintain herself. She further submitted that, the respondent is army retired person and he get monthly pension of Rs.26,000/- per month. Therefore, the

respondent be directed to pay interim maintenance to the applicant.

06. Ld. Advocate for respondents submitted that allegations made by the applicant in the application are totally false, baseless and with the ulterior motive. Applicant is educated and she is doing job in D.Y.Patil college Pimpri and earn Rs.50,000/- as a monthly salary. Hence she is not entitled for maintenance. Lastly he prayed for reject the application.

07. The applicant has filed on record her affidavit in support of this application. She has filed on record her assets and liability affidavit. The respondent has failed to filed his assets and liability affidavit. Both parties have filed other documents in order to substantiate their contentions. The documents placed on record is taken into consideration while deciding this application.

REASONS

As to Point No. 1

08. From the pleading of applicants reveal multiple instances of domestic violence. This is interim application. Therefore, the applicant is not required to prove the incident of domestic violence beyond reasonable doubts. The applicant has alleged the incident of domestic violence on affidavit. Respondent though resisted the allegations of domestic violence

in their say but, the contentions of the applicant regarding domestic violence is made on affidavit. Therefore, at this stage there is prima-facie proof to my satisfaction that the applicant was subjected to violence. Thus, the point Nos.1 is answered accordingly.

As to Point No. 2

09. The applicant has claimed amount of Rs.50,000/- per month as amount of maintenance from the respondent. The applicant in her affidavit of assets and liability stated that she has no any source of income, hence, she is unable to maintain herself. Per contra the respondent in his say, he stated that, he is army retired person and he get monthly pension of Rs.26,000/- . As per contention of respondent, applicant is educated and she is doing job in D.Y.Patil college Pimpri and earn Rs.50,000/- as a monthly salary. But respondent has failed to produce documentary evidence on record to shows that applicant is doing job in D.Y.Patil college Pimpri and earn Rs.50,000/- as a monthly salary. As per contention of applicant the respondent has not made any provision for the maintenance of applicant. From pleading of both parties it appears that the applicant is residing with her parents.

10. The respondent No.1 can not run away from the responsibility to maintain the applicant on any count. As per

contention of respondent, applicant is well educated and capable to maintain herself. It can not be a shield to the respondent for run away from his responsibility. Admittedly, he has not made any provision for the maintenance of the applicant. Therefore, considering the financial status of both parties it would be appropriate to direct the respondent to pay Rs.5,000/- per month to the applicant towards maintenance that too from the date of filling of application i.e. from 03/09/2025. Therefore, Point No.2 is answered accordingly.

As to Point No.3

11. In view of findings recorded as against point No.1 & 2, following order is passed-

ORDER

1. The application Exh. 5 is partly allowed.
2. The respondent No.1 is directed to pay interim maintenance of Rs.5,000/- per month to the applicant from the date of filling of application i.e. from dt.03/09/2025.
3. The copy of this order to be provided to the applicant free of cost.

Pimpri, Pune
Dated :18/03/2026

(T.S.Mahadik)
Judicial Magistrate First Class,
Pimpri, Pune.