

Order Below Exh.5.

(Date : 02.06.2026)

The applicant has filed this application for grant of interim maintenance to her. The main application filed as per Section 12 of the Protection of Women from Domestic Violence Act, 2005 (D.V. Act for brevity).

2] The applicant claiming Rs.25,000/- per month as interim maintenance to her. The non-applicant no.1 failed to appear and file say. Therefore, the application proceeded without say and argument.

3] Heard the applicant. It is undisputed fact that the applicant no.1 is wife non-applicant no.1 and applicant no.2 is their son. It is also undisputed position that the applicants are living separately at rented house at parental village since 18.06.2023.

4] The Court may pass such interim order as it deems just and proper, if it satisfied that an application discloses that the non-applicants have committed or committing or there is likelihood of commission of domestic violence against the applicant then it may grant any interim order.

5] Here in this case there are allegations made by the applicants are not denied by non-applicant no.1. However, on perusal of the main application, it appears that applicant no.1 is the victim of domestic violence at the hands of the non-applicants. The applicant no.1 is residing in rented house at her parental village with son. Non-applicant no.1 has not made any provision or arrangement for lively-hood of applicants which they are entitled at the hands of non applicant no.1. Even also non-applicant no.1 is

economically abusing the applicants from the deprivation of all the fruits of marriage. Hence, the applicants are entitled for interim maintenance as per Section 23 of D.V. Act.

6] The applicants asked for Rs.25,000/- per month as interim maintenance. The applicant no.1 in the affidavit of assets and liability mentioned that non-applicant no.1 is farmer and doing milk business. But, there is no evidence filed by applicants to show that non-applicant no.1 getting income from field and milk business. However, there is no material on record to show that non-applicant no.1 is unable to get the income. It is the legal as well as moral duty of the non-applicant no.1 to maintain the applicants.

7] The applicants are residing separately from non-applicant no.1. So considering the living standard of applicants and non-applicant no.1, I am of the opinion that Rs.4,000/- per month as interim maintenance to the applicants will suffice the purpose of granting interim maintenance. Hence, an application Exh.5 deserves to be partly allowed. Hence, I proceed to pass following order :

ORDER

- i. The application at Exh.5 is partly allowed.
- ii. The non-applicant no.1 to pay Rs.4,000/- per month as interim maintenance to the applicants from the date of filing of the application i.e. from 03/02/2024.
- iii. The copy of this order be given free of cost to both parties.

Date : 02/06/2026.
Place : Saswad.

(**Tukaram P Mote**)
Judicial Magistrate First Class
Saswad, Dist. Pune.

CERTIFICATE

I affirm that, the contents of this P.D.F file of order are same as per the original order.

Name of the Court	:: Shri. T. P. Mote, Jt. C.J.J.D. & J.M.F.C., Saswad, Dist. Pune
Name of Stenographer	:: Santosh K. Panchal, Stenographer (Grade - III),
Date of Order	:: 02.06.2026
Order signed by PO. on	:: 02.06.2026
Order uploaded on	:: 02.06.2026