

ORDER BELOW EXHIBIT 17 IN CRI. M.A. NO. 53/2022
(Sou. Komal Dhananjay Raut Vs. Dhananjay Raghu Raut & Ors.)

- 1) This is an application made by non-applicant No.1 to set aside ex-parte order passed against him. Applicant has taken strongly objection vide her say.
- 2) Heard, Read the application and say. Perused the record and proceeding. It appears that this is an application filed under section 12, 13, 18 to 20, 22 & 23 of the Domestic Violence Act, 2005. Notice served to non- applicant No. 1 through protection officer report vide Exh. 10 but he failed to appear before court due to he was ill. Hence, Ex-part order passed on 16/11/2022 against defendant No. 1.
- 3) The matter is in respect of domestic relationship are involved in matter. It is well settled that opportunity of natural justice should be given to everyone. It is also well settled that no one should be condemned unheard. In order to enable the court to effectively decide the matter, it is necessary to set aside ex-parte order passed against said non-applicant No.1. It is therefore, necessary in the interest of justice to allow the application.

ORDER

- 1) The application is allowed subject to cost of Rs. 5,00/- (five hundred only) be paid to the applicant by non-applicant No.1.
- 2) The cost shall be paid by non-applicant No.1 on or before next date, in case of failure the application will stand rejected.

Date : 09/03/2023

(Khwaja C. Kalal)
Judicial Magistrate First Class, Indapur,
Tal. Indapur, Dist. Pune.

C E R T I F I C A T E

“ I affirm that the contents of this P.D.F. file order are same word for word as per original order.”

Name of Steno : Shri. Chalwade G.S. (Grade – III)

Court Name : Shri. Khwaja C. Kalal,
2nd Jt. C.J.J.D. & J.M.F.C., Indapur.

Date of Order : 09/03/2023

Order signed by presiding : 09/03/2023
officer on

Order uploaded on : 10/03/2023