

Order below Exh.17 in PWDVA NO.59/2024
(Aayasha Akshay More Vs. Akshay Nandkumar More)
(CNR NO.MHPU17-003325-2024)

01] The application is filed by opponent nos.4 and 5, seeking deletion of their name from the proceeding. They submitted that they are friends of the opponent no.1. The opponent no.4 is residing at Beed district and the opponent no.5 is residing at Parbhani district. They are not living with the applicant. They are not relatives of the applicant. They have not committed any act of domestic violence. Finally they prayed to allow their application.

02] The applicant has filed his say at Exh.21 and submitted that the opponent nos.4 and 5 are friends of the opponent no.1. Opponent nos.4 and 5 were also assaulted the applicant. Hence, the present application is tenable against opponent nos.4 and 5. Hence, the applicant prayed to reject the application.

03] Heard both sides.

04] As per section 2(a) of the Domestic Violence Act, the aggrieved person means any woman who is, or has been, in a domestic relationship with the respondent and who alleges to have been subjected to any act of domestic violence by the respondent. As per section 2(q) of the Domestic Violence Act, the respondent means any adult male person who is, or has been, in a domestic relationship with the aggrieved person and against whom the aggrieved person has sought any relief under this Act. As per section 2(f) of the Domestic Violence Act, the domestic relationship means a relationship between two persons who live or have, at any point of time, life together in a shared household, when they are related by consanguinity, marriage or through a relationship in the nature of marriage, adoption or are family members living together as joint family. In

section 3 of the Domestic Violence Act, the definition of domestic violence is provided. As per definition domestic violence include any physical, sexual, verbal, economic or emotional abuse.

05] After reading above provisions it is clear that the woman who is subjected to domestic violence from a members who are having domestic relationship with that woman, then she can file case against those members. In present case the opponent nos.4 and 5 are friends of the opponent no.1. They are not living with the applicant. They were also not living with the applicant in a share household. They are also not related with the applicant by consanguinity, marriage or through a relationship in the nature of marriage, adoption. Therefore, it is clear that there is no any domestic relationship between the applicant and opponent nos.4 and 5. In application it is mentioned that opponent nos.4 and 5 were assaulted the applicant but that act does not come under domestic violence because the domestic relationship is not there between the applicant and opponent nos.4 and 5. Hence, opponent nos.4 and 5 are also not come under the definition of respondent. Therefore, I pass the following order-

: ORDER :

1)	The application is allowed.
2)	Names of the opponent nos.4 and 5 are deleted from the application.

Date:- 17/03/2026

**(Prajakta Rajiv Sabnis)
J.M.F.C., Indapur,
Tal.Indapur, Dist.Pune.**