

MHPU180003642025



ORDER BELOW EXH. No. 5 IN PWDVA Appln. No. 11/2025

[Bhagyashri Amol Khomane @ Bhagyashri Dilip Bhandalkar Vs.
Amol Gopal Khomane and ors.]
(Passed on 2nd June 2026)

This application is moved by applicant under Section 23 of the Protection of Women from Domestic Violence Act, 2005. (Hereinafter referred as 'D. V. Act' for brevity).

APPLICANT'S STORY :-

2. Applicant has moved this application seeking relief of interim maintenance of Rs.15,000/- per month from the respondent no. 1. As per applicant, she is legally wedded wife of respondent no. 1. The marriage between applicant and respondent no. 1 was solemnized on 28.05.2024 at Ganesh Mangal Karyalay, Yavat, Tal. Daund, Dist. Pune as per Hindu rites and rituals.

3. After marriage, when applicant was cohabiting with the respondents at their shared matrimonial house, respondents were not behaving properly and were abusing her verbally on the ground of demand for dowry, not knowing household work and forcefully removed her out of matrimonial house. Further all the respondents caused mental, emotional and verbal violence to applicant on various occasions by taking doubts on her character. Despite of making several attempts of settlement and sending of notice through advocate on 13.01.2025 for cohabitation, respondent no. 1 have refused to reside together and take care of the basic needs of applicant who is legal wedded wife of respondent no. 1. Thus cause

of action arose to file this application seeking interim maintenance till final decision of main application.

5. Respondents filed say at Exh.21 and have denied all the contentions of applicant about causing various types of violence in toto. The factum of marriage is admitted. But as per respondents, due to adamant nature of applicant and her wish to reside separate, dispute arose in shared matrimonial house. Applicant was quarreling with respondents on petty issues and left the matrimonial house on her own. Respondents specifically denied the pleadings of applicant in respect of income of respondent and the incidents of domestic violence in the form of physical, verbal, mental, psychological and economical violence. Further, as per respondent, applicant have filed the false complaint in order to cause harassment to the respondents and seek separation by grabbing money. But applicant had left matrimonial house on her own and therefore she is not entitled for any kind of interim maintenance as prayed. For all these reasons, this application deserves to be rejected.

6. Heard Ld. Advocate of applicant and respondents at length.

7. The following points arise for determination of this application and I have recorded my findings thereon along with reasons :-

<u>SR. Nos.</u>	<u>POINTS</u>	<u>FINDINGS</u>
1.	Whether the applicant proves that she was subjected to domestic violence by respondents ?	<u>Yes.</u>

2.	Whether applicant is entitled for interim maintenance of Rs.15,000/-, as prayed ?	<u>Yes, in part.</u>
3.	What order ?	<u>As per the Final Order.</u>

8. Perused the record in detail.

ADMITTED FACTS :-

9. The factum of marriage between applicant and respondent no. 1 on 28.05.2024 are admitted fact. At present, both are residing separate since 22.08.2024 is also not denied.

10. In view of directions of Hon'ble Supreme Court in ***Neha Vs Rajnesh***, applicant and respondent have filed their affidavits of assets and liabilities at Exh. 23 and Exh. 24 respectively.

AS TO POINT No. 1 :-

11. On perusal of record and the contentions of this application which are duly supported by affidavit of applicant as per statutory requirement, prima facie it appears that applicant was subjected to mental torture as well as verbal violence at the hands of respondent in their shared matrimonial house by taking doubt on the character of applicant. Even respondent no. 1 was causing dispute and using filthy language for applicant. She was abused on the ground of not knowing the household chores and not fulfilling their demands in marriage. Applicant have pleaded in detail these incidences of violence in her application which is duly supported by affidavit. Thus this facts about causing mental, verbal and emotional and psychological violence by respondents is deposed by applicant

on oath. Further applicant was removed forcefully out of matrimonial house and respondent did not take care of her basic needs when she was residing separate. Thus this caused economic violence against the applicant. The incidences of domestic violence occur within the four corners of an household. Therefore, the only evidence of these incidences will be the contentions of applicant and her affidavit filed in its support.

12. Admittedly applicant is residing separate from the respondents. But the contentions in say of respondent do not show that he has made any arrangement for the day to day expenses of applicant. This shows that respondent has denied his responsibilities as an husband. Respondent no. 1 being a husband is legally bound to maintain his wife. Not maintaining wife also amounts to economic violence. Therefore, in view of above discussion, I answer point no. 1 in affirmative.

AS TO POINT No. 2 :-

13. In view of affirmative answer of point no. 1 and admitted fact that applicant is legally wedded wife of respondent no. 1 and therefore, he is duty bound to provide for maintenance of applicant. As per pleading of applicant and Affidavit (Exh.23), she is not working anywhere. In the Affidavit of assets and liabilities of respondent (Exh.24), he has taken education up to graduation. But due to accident he has developed illness in the spinal cord and therefore unable to work. Further he is the only son having responsibility of family. As per respondent no. 1, at present he is working with a private food joint and earning only Rs. 10 to 12 thousand per month.

But respondent no. 1 is husband of applicant and he is legally duty bound to maintain his legal wedded wife. Applicant has taken education upto 12th standard, but she is not working anywhere as per her assets and liabilities. Therefore, in my opinion considering the inflation and the day to day necessities of applicant like food, clothing, medicines etc. and the responsibilities of respondent and his physical illness, a monthly maintenance of Rs. 4,000/- will be appropriate in this case at hand from date of this application. Therefore, I answer point no. 2 in part affirmative accordingly.

AS TO POINT No. 3 :-

14. In view of a answer to point nos. 1 and 2, I answer point no. 3 are as follows :-

ORDER

1. Application is partly allowed.
2. Respondent no. 1 is directed to pay monthly interim maintenance of Rs. 4,000/- (Rupees Four Thousand only) to applicant from the date of this interim application i.e. from 11.02.2025.
3. Copy of this order be given to applicant and respondent free of cost and be sent to the Protection Officer for execution.

Daund.
Date :- 02.06.2026.

[Smt. S. A. Virani]
J.M.F.C., court no. 1, Daund,
Dist. Pune.

CERTIFICATE

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

Name of Steno	:-	S. A. Kanaki.
Name of the Court	:-	Smt. S. A. Virani, J.M.F.C., Daund, Dist. Pune.
Order date	:-	02.06.2026.
Order signed by the Presiding Officer on	:-	02.06.2026.
Order uploaded on	:-	02.06.2026.