



Pratibha Vilas Khilari
Vs
Vilas Pandurang Khilari

ORDER BELOW EXH. 14

This is an application for setting aside the “No Say” order dated 04/03/2025 passed against the respondents.

2. Heard both sides. Considered their submission.

3. The respondents submitted that applicant has filed the present application under Domestic Violence Act, 2005. They further submitted that the respondents appeared today i.e. on 05/04/2025 by filing Vakilpatra. On 04/03/2025 the Court has passed “No Say” order against respondents. Respondents do not have legal knowledge. Hence, they did not appeared before Court. Hence, prayed to set aside “No Say” order dated 04/03/2025.

4. The applicant has strongly opposed the present application and argued that said application of respondents is false and frivolous. Respondents have not filed affidavit alongwith application. On 30/04/2024 notice was served on them. Despite that they failed to appeared before Court. Respondents are well educated, therefore, their reason that they do not have legal knowledge is not sufficient. Hence, prayed to reject the application. If court is of the opinion that the said application is allowed, then it may be allowed by imposing cost of Rs.5,000/-.

5. Perused the application and say filled by the applicants.

6. The advocate for the respondents has submitted that respondents do not have legal knowledge, therefore, they could not appear and file their say. This reason does not seem to be proper but considering the principle that no one should be unheard, an opportunity must be given to the respondents to file their say to decide the application on merit. Further considering the delay in filing the present application and the frivolous reasons mentioned in the application, I am of the opinion that cost shall be imposed. Hence, the following order is passed.

ORDER

1. Application at Exh.14 is allowed subject to cost of Rs.1,000/-.
2. The “No say” order dated 04/03/2025 is hereby set aside.
3. The respondent are directed to pay above mentioned cost to the applicants and file their say on application.

Date :27/06/2025
Ghodegaon

Sd/-
(Sneha Sunil Pulujkar)
Judicial Magistrate First Class,
Ghodegaon, Dist. Pune.

CERTIFICATE

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

Name of the Court	: Smt. Sneha Sunil Pulujkar, Judicial Magistrate First Class, Pune.
Name of the Steno	: J. S. Kaite, Stenographer Grade - III.
Order date	: 27/06/2025
Order signed by P.O. on	: 27/06/2025
Order uploaded on	: 27/06/2025

CERTIFICATE

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

Name of the Court : Shri. Sagar. S. Mohite, 2nd Jt. C.J.J.D.
and J.M.F.C., Ghodegaon, Dist. Pune.

Name of the Steno : J. S. Kaite, Steno Grade - III.

Order date : 02/08/2024

Order signed by P.O. on : 02/08/2024

Order uploaded on : 02/08/2024