

ORDER BELOW EXH.21 IN CRI.M.A.No.02/2020
(CNRNO.MHSI090000272020)

01. Read the applications and say filed thereon by the respondent.
02. Heard learned advocate for the parties.
03. The present application the applicant prayed issuance of warrant for recovery of interim maintenance of Rs.52,000/-. On perusal of record it appears that, as per order passed below Exh.05 dt.26/10/2021 the respondent was directed to pay interim maintenance of Rs.2,000/- to the applicant. In reply to the present application though the respondent denied the assertions made in the application but, he nowhere contended that, he is complying or had complied the interim order. Record shows that, till date the respondent has not complied interim maintenance order. Record shows that, the respondent without justifying the reason and willfully avoiding to pay interim maintenance amount. It is not also contention of the respondent that, he has challenged said order and Hon'ble Appellate Court has granted stay to the execution of interim maintenance order. Amount of Rs.52,000/- appears to be due and recoverable from the respondent. Considering the scope and object of Section 23 and fact that, provisions of Criminal Procedure Code applies to the proceeding under D.V. Act it is necessary to issue recovery warrant against the respondent. Hence, following order is passed :-

:: ORDER ::

01. Application at Exh.21 is hereby allowed.
02. Issue recovery warrant for amount of Rs.52,000/- against the respondent.

Date:- 06/10/2022

Place:- Deogad

(Sunil B.Walke)
Judicial Magistrate First Class
Deogad