

**MHSN080018422022**



**Order below Exh. 21 in Cri. M. A. No. 281/2022**  
**(Madhuri Vs Rajiv & Ors.)**  
**(Passed on 22/08/2025)**

The applicants are filed present application under Section 12 Protection of Women from Domestic Violence Act, 2005 against the respondent for seeking various reliefs under the said Act. Respondent No. 1 is a husband of applicant No. 1 and father of applicant No. 2.

2 By way of present application, applicants prayed for granting them interim maintenance of Rs. 10,000/- per month per applicant total Rs.20,000/- against the respondent No. 1. Applicant No. 1 has submitted that she is legally wedded wife of respondent No. 1. Her marriage with respondent No. 1 was performed on 15/02/2014 as per their Caste and Customs at Mendhigiri. After marriage she went to respondent No. 1's house for cohabitation. Respondents were well treated her initially. Thereafter, respondent started ill treating her and abused her without any reason. Respondents have not provided adequate foods to the applicant No. 1 when she was resided with them. Respondent No. 1 demanded dowry and money from the applicant No. 1. The respondent No. 1 is having extra marital relationship with another lady and therefore, respondent No. 1 was not giving attention to the applicant. On asking about the same, respondent No. 1 and his family started ill treating her without any reason.

3 Applicant No. 1 along with applicant No. 2 are residing

in her maternal home due to domestic violence committed on her by the respondents. She has mentioned detailed particulars of domestic violence committed on her by the respondents when she was residing with the respondents in a shared house.

4 Respondents have filed reply vide Exh. 20 and denied all adverse allegation made by the applicant No. 1. Respondents admitted the relationship with the applicants. They submitted that, applicant No. 1 without any reason withdrawn herself from the company of respondent No. 1 without any reason. She has been living in her maternal house along with applicant No. 2 and 3 without any justified reason. Thus, they prayed for rejection of application. Respondents also filed their say on this application vide Exh. 23 and submitted the same as mentioned in their reply Exh. 20.

5 Read the application and reply of the respondents. Heard both parties. It is not in dispute that, applicant No. 1 is wife of respondent No. 1 and applicant No. 2 is their children. After marriage, applicant No. 1 went to the house of respondent No. 1 for cohabitation. During the stay of applicant No. 1 in her matrimonial house, respondent No. 2 to 5 are residing with them. Applicant has given detailed particulars of domestic violence committed on her by respondents during her stay in her matrimonial house.

6 The grounds of exemption raised by the respondents required evidence and it can be considered during trial. Relationship is admitted by respondents and they also admitted that, applicant No. 1 was resided with them after marriage with

respondent No. 1. The applicant No. 1 has stated in her application detailed particulars of domestic violence committed on her by respondents. She also stated that, respondents have not provided adequate foods to her during her stay with them. It is one kind of domestic violence. So also, respondent No. 1 demanded her dowry and in the event of not satisfying the illegal demand of respondent No. 1 he along with respondent No. 2 to 5 ill treated her without any reason. Thus, it prima facie appears that the respondents have committed domestic violence on applicant No. 1.

7 Applicant No. 1 and respondent No. 1 have filed their affidavits of assets and liabilities on record. Hence, during the pendency of proceeding it appears justifiable to grant interim maintenance to applicants so that the spirit of the provisions can be implemented and applicants shall not face undue hardship. During the proceeding merit can be considered. Considering the over all circumstances and period of desertion, it is an urgent exigency for the applicants to get the basic needs satisfied by the way of interim maintenance.

8 Ground of exception contend by the respondents in their reply requires consideration during evidence and can be concluded after final hearing. The purpose of the Section is benevolent. For the applicants necessary means requires is considered herein. Therefore, considering the status of both parties and minimum bare requirements of applicants, in my opinion till the conclusion petition interim maintenance has to be granted to sub-serve the social-beneficial object of the provisions. Thus, reasonable amount of maintenance needs to be granted to

applicants. After taking into consideration social status and financial condition of both parties. Considering, all the facts in my opinion an amount of Rs. 4,000/- per month for applicant No. 1 and Rs.2,000/- for applicant 2 appears justifiable. Thus, in the interest of justice, following order-

**ORDER**

- 1 The respondents shall pay interim maintenance of Rs. 4,000/- to applicant No. 1 and Rs.2,000/- to applicant No. 2 total Rs.6,000/- (Six thousand) per month from the date of institution of this case till conclusion of this case.
- 2 Applicant No.1 shall received amount of interim maintenance on behalf of applicant No. 2.
- 3 The copy of order be given to both parties free of costs.

Place :- Jath  
Date :- 22/08/2025

(Prakash C. Bachhale)  
Judicial Magistrate First Class,  
Jath