



Cri. M. A. No. 18/2026
CNR. No. - MHWR030010192026

Order Below Exh. 17

(Bhagyashri Sagar Zade & Anr.)

- Vs -

(Sagar Dilip Zade)

This is a recovery proceeding under section 144 (3) of the Bhartiya Nagarik Suraksha Sanhita, 2023 for the recovery of interim maintenance of an amount of Rs. 2,24,000/-. The applicant has filed the application for issuance of recovery arrest warrant against the non-applicant. He further submitted that, the applicant is having the child to maintain.

2. On the other hand, the non-applicant does not give any penny to the applicant, despite the interim order of the court. The non-applicant is disrespecting order of the Court and not appearing and contesting the present proceedings.

3. On the last date on 07/05/2026, there appears *Vakalatnama* on C.I.S.. However, neither Advocate nor non-applicant personally appear before the Court. Today, the non-applicant appeared with his Advocate. However, they have not filed any say to the application i.e. recovery arrest warrant.

4. Heard, Ld. Advocate Smt. A. G. Mahalle for the applicant and none appear for the applicant to argue the matter. Despite

repeatedly calling the matter at 4 p.m.. Perused the record. It shows that, the arrears of amount Rs. 2,24,000/-. The non-applicant is deliberately avoiding the payment on one or other count.

5. In the aforesaid circumstances, despite in the morning session the non-applicant appeared, with his Advocate. However, he has not shows *bonafide* by depositing part of amount and make himself absent after lunch break. Therefore, this court pass following order -

Order :-

1. The recovery arrest warrant of amount of Rs. 2,24,000/-. The non-applicant be set free in the event of depositing of the amount with the executing officer(Police).
2. The Hamdust of this order is granted for its effective service to the Advocate for the applicant.

Date: 20/06/2026
Wardha.

(H. P. Pancholi)
Judicial Magistrate, First Class,
[Court No.4] Wardha.