

CNR - MHWR030026932023

Cri. M.A. No.37/2023

Received on - 19/06/2023

Registered on - 19/06/2023

Decided on - 18/07/2026

Duration - 03Y, 00M, 29D.

**IN THE COURT OF 4th JOINT JUDICIAL MAGISTRATE FIRST
CLASS, WARDHA**

(Presiding Officer : Hemant P. Pancholi)

Cri. Misc. Application NO. 37 OF 2023

Exhibit.- 16

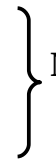
1. **Dharti Ashish Zore,**
Age 30 yrs., Occu. Household,
2. **Aradh Ashish Zore,**
Age- minor
All R/o Gandhi Nagar, Wardha.
Tah. & Dist. Wardha



APPLICANTS

VERSUS

Ashish Babarao Zore.
Age. 43 years, Occ. Service.
R/o Ghorad, Seloo,,
Tah. Seloo, Dist Wardha



NON-APPLICANT

Advocate for Applicant - Smt. A. A. Deshpande
Non-Applicant - Ex-parte

J U D G M E N T

(Delivered on 18/07/2026)

This is an application under section 125 of Code of Criminal Procedure, 1973 for maintenance of wife and child from the husband.

2. In short, it is the case of applicant that, she married with the non-applicant on 21/05/2017 at Subhash Mangal Karyalaya as per Hindu rites and customs. Her parents have spent lot of money on the said marriage. After the marriage, initial few days, the applicant has treated well. After the birth of applicant no. 2 namely Aradh, the non-applicant has started consuming liquor and having bad-voices like playing gambling and other illegal activities. The non-applicant use to tell, the applicant to pay installment of vehicle, which he has taken on loan. The brother of applicant paid certain installments. Despite, help from the applicant, the non-applicant was not treating the applicant and her son in proper way. Therefore, the applicant has left company of non-applicant and residing with her parents. Moreover, the non-applicant was working as a driver in A.S. Aggregate Company and earning Rs. 15,000/- to Rs. 20,000/- per month. He is having 3.13 acre of agricultural land. The certain part of that land has been sold by him. Despite having sufficient source of income to the non-applicant, he is neglecting his child and wife without any there-being any reasonable caused. Therefore, the applicant is prayed that, applicant be granted maintaining for amount of Rs. 7,000/- per month.

3. On the other hand, notices of the proceedings was served upon the non-applicant. However, the non-applicant was also

deliberately absent. Therefore, matter proceeded *ex-parte*.

4. Applicant examined herself. She placed on record certain important document in support of her application-

Sr.No.	Documents
1.	Marriage Invitation card dated 21/05/2017
2.	Adhar Card
3.	Leaving Certificate of Applicant.
4.	7/12 extract survey No. 505 Mouza Seloo, Wardha and index to copy of sale deed executed by non-applicant in respect of 2.94 H.R. out of Survey No. 505 with other co-owners and its ferfar entries.
5.	closing pursis Exh.18

5. Heard, learned Advocate Smt. A. A. Deshpande for the applicant. The following point do arise for the consideration of this court for the decision of the present application.

<u>Sr. No.</u>	<u>Points</u>	<u>Findings</u>
1.	Whether the applicants proved that, despite having sufficient source of income to non-applicant, he is neglecting his child and wife ?	<u>In the affirmative</u>
2.	Whether the applicant is entitled for maintenance of Rs. 7,000/- per month from the non-applicant ?	<u>In the partly affirmative</u>
3.	What Order ?	<u>Application is partly allowed.</u>

As to Point No. 1 & 2 :-

6. The applicant married with the non-applicant on 21/05/2017 same fact appears from the marriage card. Thereafter, the applicant and non-applicant begotten the child namely Aradh same facts is appearing from the Adhar card. Therefore, marriage is proved by the applicant. Moreover, the applicant examined herself and stated her suffering that under the influence of liquor non-applicant use to harass her physically and mentally to the applicant and he use to pressurize to the applicant bring the money from her brother. Moreover, the non-applicant has sold the *streedhan* of applicant to satisfied is bad-vices liquor and gambling. Due to said suffering , the applicant started residing with her mother and applicant is not having any source of income and on the contrary, she is burden with the maintaining responsibility of applicant no. 2.

7. The non-applicant despite served with the summons. He did not appear before the court and cross examine the applicant, therefore the contention of the applicant is requires to be considered. It needs to be noted that, recently the non-applicant has sold agricultural land along with other co-owner for an amount of Rs. 78,00,000/- vide sale deed dated 07/05/2025. The applicant being co-owner having 1/9th share in said amount has got money

in lakhs and he has also having the skill of driving and therefore, the non-applicant is not only having the capability to earn, but also received the money in lakhs by selling an ancestral land survey No. 505, situated at mouza Seloo.

8. In the aforesaid circumstances and considering financial condition of applicant as she is not having own source of income. This court find fit to award the maintenance of an amount of Rs. 3,000/- to the applicant no.1 and Rs. 2,000/- to the applicant no.2 to pay from the date of filing of present application from non-applicant. Consequently, point no. 1 answer in the affirmative and point no. 2 in partly affirmative as stated above.

As To Point No. 3 :-

9. In view of discussion to point nos. 1 and 2, this Court pass the following order -

Order :-

1.	Application is partly allowed.
2.	Non-applicant is directed to pay Rs. 3,000/- to the applicant no.1 and Rs. 2,000/- to the applicant no.2 from the date of filing of the present application.
3.	The non-applicant shall not spent an amount, which he has received while selling ancestral land.

4.	The copy of this order be given free of costs to the applicant and non-applicant.
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Date: 18/07/2026
Wardha.

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

CERTIFICATE

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

Name of Stenographer	:	P. M. Bijve Stenographer Grade III
Court	:	4 th Jt. C.J.J.D. & J.M.F.C., Wardha
Date	:	18/07/2026
Signed by P. O. on	:	18/07/2026
Uploaded on	:	18/07/2026