

MHWR060001402022



Order below Exh-34

This is an application filed by the NA under sections 17 and 19 of the Protection of Women from the Domestic Violence Act, 2005. (for short DV Act).

02. It is the contention of NA that the applicant is presently residing in matrimonial house, which is exclusively own by the non applicant. The parties are separated on 28.07.2021, NA has residing in rented house and paying monthly rent, which is now unable to afford due to financial constraints. The NA do not intent to disturb the applicant or her children and is willing to reside in some portion of the same house. Under Section 17 of DV Act both spouses have right to reside in share household. Under Section 19 of said Act this Court has power to pass the residence order. Hence, prayed to allow the application.

03. The learned advocate for applicant filed his say behind the back of this application and submitted that the DV Act enacted to protect the aggrieved person and not husband. It is enacted only for the benefit of women. The application is not tenable. Hence, prayed to reject the application.

04. Heard, both the sides. The learned advocate for NA has filed the written notes of argument, which is also taken into consideration.

05. It appears that the DV Act is enacted to protect the women from domestic violence. The aggrieved person includes the women and not the men. Therefore, it

appears that the NA is not entitled to relief under this section. Hence, I pass the following order.

Order

1. Application is rejected.

Date : 30.03.2026

(Shri. A.B. Ingole)

Place : Hinganghat

Judicial Magistrate First Class,

Court No.2, Hinganghat.

CERTIFICATE

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

Name of the Stenographer : B. S. Wani.

Court : 2nd Jt. CJJD & JMFC, Hinganghat.