

ORDER BELOW EXH.17 IN H.M.P. NO.63/2018

Respondent has filed the present application to direct the petitioner to deposit the interim maintenance amount and if he fails to deposit the amount then to dismiss the petition.

2. It is asserted by her that the Court has awarded interim maintenance of Rs.6,500/- to her vide order dated 21.02.2019 passed below application (Exh.9) with effect from 30.07.2018. The Court was pleased to direct the petitioner to pay the said amount on or before the 10th day of each month. Petitioner is not depositing the amount, as directed. Hence, the application.

3. Petitioner has filed the say and opposed the application contending that the petitioner has deposited the amount. Respondent is prolonging the matter unnecessarily. Ultimately, he has prayed for rejecting the application.

4. Perused the record. Heard both sides. Only point which arise for consideration is whether the respondent has made out a case to allow the application ?

5. Most of the facts are not disputed. It is the case of the respondent that the petitioner is not depositing the interim maintenance amount, as directed. Applicant can take appropriate steps to get the said order enforced/executed. In absence of such steps, present application moved by the respondent cannot be considered. Petition cannot be dismissed for not depositing the interim maintenance. Moreover, record shows that the petitioner has deposited Rs.20,000/- + 20,000/- total Rs.40,000/- till date. In the circumstances, no relief, as prayed for, can be granted. Hence, the application stands rejected.

Date : **15.01.2020.**

3rd Jt. Civil Judge (S.D.)
Washim.

CERTIFICATE

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

Name of Stenographer : ***Shivam B. Patange.***

Court & Judge Name : **S.K.Khan,**
3rd Jt. Civil Judge (S.D.) Washim.

Date of Order : 15.01.2020.

Order signed by the
Presiding Officer on : 15.01.2020.

Order uploaded on : **16.01.2020.**