

MHWS090010782023



**ORDER BELOW EXH.5**  
(Passed on 25/08/2025)

The present application is filed under Section 23 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as '*the DV Act*') for interim monetary relief in accordance with the principal application. Reply/Say filed by non-applicant at Exh.18. Heard Shri. P. N. Chaudhari learned advocate for the applicant and Smt. P. G. Agarwar Ld. Advocate for the non-applicant. In view of the direction of Hon'ble Apex Court in the Case of ***Rajnesh Vs. Neha*** [Criminal Appeal No.730/2020 D.D. 04/11/2020] the applicant and non-applicant filed their affidavit of disclosure of assets and liabilities [Exh.20 & 21]. On the basis of material available on record the application is taken for further order. Also perused the record and documents.

2. In short it is the contention of the applicant that the non-applicant no.1 ( hereinafter referred to as the '*Non-Applicant*') is her husband and non-applicants no.2 to 6 are the relatives of her husband. Marriage of the applicant and non-applicant was solemnized on 02/05/2023 at Thakare Palace, Manora, Tq. Manora, Dist.Washim. After marriage she went to the matrimonial house of the non-applicants at Thane. Non-applicants treated her well for about 8 days. Thereafter, she came to know that he does not give attention to her. He harassed her mentally. He in-laws restrained her social activity. She was restrained to talk to her relatives. They used

to keep watch on her. Non-applicants demanded Rs.20,00,000/- to her. Thereafter, she informed about her harassment to her father.

3. It is the further contention of the applicant that, in June 2023 her father gave Rs.20,00,000/- in cash to non-applicant. He had affair with other women prior to their marriage. He told her that he has no interest in her. It was a shock for applicant. The other non-applicants also supported him. Thereafter, on 18/07/2023 non-applicants forced her to leave her matrimonial house. It is the further contention of the applicant that, the non-applicants ill-treated her on every trifle count. Applicant has narrated several incidents of the domestic violence in her main application at Exh 1.

4. It is the further contention of the applicant that, at present the applicant is living at the mercy of her parents. She has no source of income. On the contrary, non-applicant has a good job at Pawai Mumbai and earns Rs. 13,00,000/- p.a. Non-applicant no.2 is also retired and receives pension. Besides they also have property business from which he earns Rs. 30,00,000/-. At present the non-applicant is not providing anything towards maintenance to the applicant. With all her submissions, the applicant prayed for interim maintenance pending the main application.

5. The non-applicant resisted the claim of the applicant through their say at Exh.18 and denied all the allegations of the applicant. It is submitted on behalf of the non-applicant that, after marriage she used to talk to some other person from her mobile and raised quarrel with the non-applicants. Thereafter, she did not talk with the non-applicants for about 4 to 5 days. On 18/05/2023 her

brother-in-law Gajanan took her at her maternal house. She had no conjugal relation with the non-applicant. From 18/05/2023 to 17/06/2023 she was at her parents house.

6. It is the further contention of the non-applicant that, the applicant along with her relatives threatened him. Their dispute came to be resolved with the help of their relatives and panch. He tried to convenience for restitution of their marital life. But she denied the same. She used to insult them and cause them mental and physical harassment. On 03/08/2023 she came at their house and threatened and abused him. She has lodged a false report before P. S. Manora. She is voluntarily residing at her parents house without any reason. She has made a false allegations against them. Therefore, with all these submissions the non-applicant prayed for rejection of the application with costs.

7. While deciding the present application it is necessary to ascertain the relationship between the parties. The relations between applicant, non-applicants is no where denied by the non-applicant. It is fact on record that the wedlock of both these persons is still in existence. Admittedly, the applicant is residing separately at her parent's house. It further appears from the material available on record that applicant has no source of income. However, the applicant did not file any document regarding the source of income of the non-applicant as alleged by her in support of her contention. It further appears from the record that, no other proceeding is pending between the parties at the same time till now no maintenance came to be awarded to the applicant.

8. In view of the facts and circumstances of the case and also nature of the present application prima-facie case is to be seen. In view of the above discussion, it appears that applicant is residing separately at a place cited supra. It is the responsibility of the non-applicant being the husband of applicant to look after the requirements and needs of the applicant. He has not made any arrangement for the residence and livelihood of the applicant. This fact amounts to economic abuse/violence which is a part of Domestic Violence as defined under section 3 explanation (IV) of the D.V. Act.

9. Considering the submissions, arguments and the documents, it appears that the monitory relief can be considered at this stage. However, taking into consideration the nature of dispute, the stage of the matter, submissions made by both the parties, standard of living of both the parties, affidavit of disclosure of assets and liabilities and in absence of documentary evidence regarding the income of non-applicant Rs.3,000/- per month in aggregate appears to be justified towards interim maintenance of the applicant. Moreover, granting of the maintenance from the date of the application would suffice the ends of justice.

10. Though non-applicant submitted that at present he has no job, same does not entitle him to escape from his responsibility towards the applicant. However, non-applicant is not permanently incapable to work. Non-applicant has a legal and moral duty to look after and take care of her requirements. In view of the above discussion, applicant is partly entitled to the relief as claimed. Hence, considering the facts and circumstances of the case, I am inclined to pass the following order.

**ORDER**

1. The application is partly allowed.
2. The non-applicant No.1 shall pay in aggregate Rs. 3,000/- (Rs. Three Thousand only) per month towards interim maintenance to the applicant from the date of the application till further order.
3. Copy of this order be provided free of cost to both the parties.
4. Copy of this order be sent to the concerned Protection Officer and Police Station Officer for information and necessary compliance accordingly.
5. Costs in main cause.

(Dictated and Pronounced in open court )

Manora  
Date : 25/08/2025.

(Ms. Trushna G. Bansod)  
Judicial Magistrate First Class,  
(Court no.2), Manora.

**PWDVA No. 24/2023**  
**Sonam ..Vs.. Nitin**

**CERTIFICATE**

I affirm that the contents of this PDF file Judgment/Order are same word to word as per the original Judgment/Order.

Name of the Stenographer	-	Smt. R. K. Chavhan (Grade-III)
Court	-	Jt. CJJD & JMFC, Manora
Date of Judgment/Order	-	25/08/2025
Judgment/Order signed by the Presiding Officer on	-	25/08/2025
Judgment/Order uploaded on	-	29/08/2025