

IN THE COURT OF THE JUDICIAL MAGISTRATE (FIRST CLASS)
34TH COURT, VIKHROLI, MUMBAI.

MHMM160094962023	<u>C.C.NO. PWDVA/98/2023</u>
	Kavita Mukesh Gupta ----- Applicant V/s. Mukesh S.Gupta and Ors. ----- Respondents

ORDER BELOW EXH. 07
(Passed on 21/08/2026)

- 1] The applicant sought interim reliefs u/sec. 23 of the D. V. Act vide Exh.07. The respondents filed reply at Exh. 10. Both parties filed their affidavit regarding assets and liabilities at Exh. 13 and 15. Both parties have filed written notes of arguments at Exh. 19 and 20.
- 2] Heard Ld. Counsel for the applicant and the respondents. From the assets and liabilities, it is clear that applicant has no source of income. Whereas respondent No. 1 has Rs. 62,000/- per month income. Before deciding the interim relief in favour of the applicant, it is necessary to discuss whether the respondents have caused any domestic violence to the applicant.
- 3] Applicant submitted that she is residing with her parents since year 2021. Respondent No. 2 and 3 taunting to the applicant and thereby harassed the applicant. Respondent No. 1 harassed the applicant and fight with the applicant without any reason. Respondents abused to the applicant in filthy language. The applicant stated clearly in her application about causing domestic violence by the respondents.

4] It is not disputed that the since year 2021, the respondent No. 1 has provided any monetary relief to the applicant till today. Respondent No. 1 is husband of the applicant. Therefore, it is responsibility of the respondent No. 1 to maintain her wife. However, it is necessary to consider the expenses of the respondent No. 1. The applicant is resides with her parents. Therefore, it is not necessary to arrange alternate accommodation for the applicant at this stage.

5] The applicant filed the present application in the year 2023. Interim Maintenance application is pending since year 2023. The written notes of argument is filed by the applicant on 20.02.2026. The applicant and respondents filed assets and liabilities on 10.04.2024. Therefore, after considering the conduct of the applicant, applicant is not entitled for interim maintenance from the date of filing the application. In such, I pass following order :-

ORDER

1. The Interim Application is hereby allowed.
2. Respondent No. 1 is directed to pay Rs. 20,000/- (Rupees Twenty Thousand Only) per month to the applicant as Interim Maintenance till decision of the main application from the date of the order.
3. Copy of the order be sent to the Protection Officer for compliance of the order.
4. Copy of the order be given to both parties at free of costs.

Sd/-

(R. H. Jha)

Vikhroli, Mumbai.
Date : 21/08/2026

Judicial Magistrate (First Class),
34th Court, Vikhroli, Mumbai.