

3. Mr. Anand S. Patil, learned Counsel for petitioner, contends that since the respondent had claimed maintenance, it is for the respondent to produce evidence, on all aspects which will entitle her to claim maintenance. Mr. Patil states that some documents have already been produced by the petitioner and therefore no order could have been made requiring the petitioner to produce any further documents. The submissions of Mr. Patil cannot be accepted. We are dealing with provisions of Section 125 of Code of Criminal Procedure, 1973 (Cr.P.C.) which are summary in nature. Secondly, it is the duty of every party to produce the relevant documents on record notwithstanding the circumstance that such document may assist the case of the other party. Ultimately, the Court taking up proceedings under Section 125 of Cr.P.C. is required to determine the payment capacity of the spouse and for this purpose, if the Court is of the opinion that the spouse should produce certain documents with regard to his employment details and financial capacity, it can hardly be said that such an order is in excess of jurisdiction.

4. In this case, if the impugned order is perused, the Family Court has adopted a fair approach. The impugned order states that in case the petitioner does not have any of the documents which he is directed to produce, then he can make a declaration on oath to that effect. This takes care of the petitioner's apprehension or contention that he has been forced to produce the documents which he does not possess.

5. There is no reason to interfere with the impugned order. This petition is dismissed.

6. Considering that the main proceedings pending before the Family Court are of the year 2014, the Family Court is requested to dispose of the same as expeditiously as possible.

7. The petitioner is directed to place authenticated copy of this order before the Family Court on the next date of hearing.

(M. S. SONAK, J.)