



(1)

12criwp1897.19

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

12 CRIMINAL WRIT PETITION NO. 1897 OF 2019

AMBADAS S/O. WAMANRAO RAUT

....Petitioner

VERSUS

JYOTI W/O. AMBADASRAO RAUT

.....Respondent

CORAM : KISHORE C. SANT, J.

DATE : 09th JULY, 2025

P. C.

1. This court has already passed detailed order on 19-06-2025 as the petitioner is not appearing.

2. The present petition is filed seeking quashment of the impugned judgment and order dated 03-08-2019, passed in PWDVA No. 12/2016 by the learned Sessions Judge, Basmatnagar.

3. Going through the judgment passed by the learned Sessions Judge it is seen that the learned Judge by way of

impugned judgment has set aside the judgment and order passed by the learned JMFC, Basmatnagar dated 23-02-2016. The learned JMFC by way of impugned judgment and order had rejected the PWDVA application filed by the respondent-wife.

4. The learned Sessions Judge, Basmathnagar has passed the following order:

“a] The judgment and order dated 23-02-2016 passed by the Judicial Magistrate, First Class, Basmathnagar (IInd Court) in the PWDVA Application No. 68/2013, rejecting the claim of the applicant-Jyoti, is set aside.

b] The opponent-Ambadas is directed to arrange adequate accommodation for the applicant-Jyoti and pay its rent.

c] The applicant-Jyoti is entilted to claim rent, till the suitable accommodation is arranged for her by the opponent-Ambadas, as under:

- i. From the month of April-2013 to the Month of December, 2013 at the rate of Rs.500/- per month.
- ii. From the month of January, 2014 to the month of December, 2014 at the rate of Rs.700/- per month.
- iii. From the month of January-2015 to the Month of December, 2015 at the rate of

Rs.700/- per month.

iv. From the month of January, 2016 to the month of December, 2016 at the rate of Rs.800/- per month.

v. From the month of January, 2017 to the month of December, 2017 at the rate of Rs.1200/- per month.

vi. From the month of January, 2018 to the month of December, 2018 at the rate of Rs.1400/- per month.

vii. From the month of January, 2019 onwards at the rate of Rs.1600/- per month.

d] Applicant-Jyoti is entitled to claim monetary relief i.e. maintenance allowance as under:

i. From the month of April-2013 to the month of December, 2013, at the rate of Rs.1,000/- per month.

ii. From the month of January-2014 to the month of December, 2014, at the rate of Rs.1200/- per month.

iii. From the month of January-2015 to the month of December, 2015, at the rate of Rs.1500/- per month.

iv. From the month of January, 2016 to the month of December, 2016, at the rate of Rs.1900/- per month.

v. From the month of January, 2017 to the month of December, 2017, at the rate of Rs.2400/- per month.

vi. From the month of January, 2018 to the month of December, 2018, at the rate of Rs.3000/- per month.

vii. From the month of January, 2019 onwards at the rate of Rs.3700/- per month.

e] The opponent-Ambadas is directed to deposit monthly rent and maintenance allowance from the month of September, 2019 regularly on or before fifteen day of each month, in the court of the JMFC, Basmathnagar (IInd Court)

f] The entire amount paid, if any, by the opponent-Ambadas to the applicant-Jyoti as per judgment and decree in the Regular Civil Suit No. 91/2013 previously, be adjusted against the amount payable towards monthly rent and maintenance allowance from the month of April, 2013 onwards.

g] Opponent-Ambadas do pay cost of the PWDVA Application No. 68/2013 to the applicant -Jyoti amounting to Rs.1000/- and bear his own.

h] The all other prayers sought by the applicant-Jyoti are rejected.

2. The opponent-Ambadas do pay costs of the appeal to the applicant-Jyoti amounting to Rs.2500/- and bear his own.

3. The Judicial Magistrate, First Class Basmathnagar (IInd Court) is directed to send the copy of the order to the applicant-Jyoti and the opponent-ambadas and to the incharge of the police station within the local limits of whose jurisdiction the opponent-Ambadas resides.

5. The petitioner has approached this court raising various grounds that there is no marriage between the parties etc.

6. However, on going through the judgment and order this court finds that the learned Sessions Court has rightly dealt with the issue and has passed the order. No case is made out calling for interference at the hands of this court. The criminal writ petition therefore, stands dismissed. Pending applications, if any stand disposed off.

[KISHORE C. SANT, J.]

VishalK/12criwp1897.19