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

CRIMINAL WRIT PETITION NO.1937 OF 2019

Vilas s/o Arun Jagdale

....PETITIONER

VERSUS

Prabhawati w/o Vilas Jagdale and others

....RESPONDENTS

.....

Mr Sushant B. Choudhari, Advocate for Petitioner

Mr V. A. Babras, Advocate h/f Mr S. S. Gangakhedkar, Advocate for
Respondent Nos.1 & 2

.....

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 18 NOVEMBER 2025

P. C. :

1. By this petition, the petitioner is praying for quashing and setting aside the order dated 07/09/2019 passed by the learned Additional Sessions Judge, Bhoom in PWDVA Appeal No.03/2017, thereby confirming the order dated 20/07/2017, passed by the learned Judicial Magistrate First Class, Bhoom in Criminal M.A. No.87/2011, granting maintenance under Section 12 of the Protection of Women from the Domestic Violence Act, 2005 to respondent Nos.1 and 2.

2. Respondent Nos.1 and 2 had filed application bearing Criminal M.A. No.87/2011 before the learned Judicial Magistrate First Class, Bhoom under Section 12, 18(a)(b)(e)(f), 19 20(d) and 22 of the Protection of Women from the Domestic Violence Act, 2005 for claiming maintenance and compensation from the petitioner. The

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learned Judicial Magistrate First Class, Bhoom, vide his order dated 20/07/2017, partly allowed the said application and granted maintenance of Rs.1500/- p.m. to respondent No.1 (wife) and Rs.1000/- p.m. to respondent No.2 (son). Being aggrieved by the said order, the petitioner preferred appeal bearing PWDVA Appeal No.03/2014 before the learned Additional Sessions Judge, Bhoom. The learned Additional Sessions Judge dismissed the said appeal vide his order dated 07/09/2019 by confirming the order of learned Judicial Magistrate First Class, Bhoom.

3. Heard learned Advocate Mr Choudhari for the petitioner and learned Advocate Mr Babras, holding for Advocate Mr Gangakhedkar for respondent Nos.1 and 2.

4. Learned Advocate for the petitioner submits that the family of petitioner is from lower class and depends on agricultural income and by doing labour work. He further submits that the impugned orders passed by the Courts below are totally illegal and erroneous. He then submits that the Courts below have committed grave error in passing the impugned orders by not considering the facts on record. He, therefore, submits that the impugned orders passed by

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the Courts below are liable to be quashed and set aside by allowing the present writ petition.

5. Per contra, learned Advocate for respondent Nos.1 and 2 vehemently opposes the petition. He supports the order passed by the learned Additional Sessions Judge and the Judicial Magistrate First Class. He, therefore, prays for rejection of the present writ petition.

6. After hearing the submissions of the respective sides and upon perusal of the documents on record, it is pertinent to note that the impugned order is passed in the year 2019 by the learned Additional Sessions Court. Since then, this petition is pending before this Court. On 15/01/2020, the notices were issued to respondent Nos.1 and 2 only. However, since then, there is no progress in the matter. On 11/11/2025, this Court had granted time of one week by way of last chance to learned Advocates for the petitioner.

7. After perusing both the orders passed by the Courts below, I found no substance in the instant petition to disturb the findings of the Courts below, that too, after a period of five years. Hence, the petition is dismissed. No order as to costs.

[SUSHIL M. GHODESWAR, J.]

sjk