

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2027 OF 2002

Mandakini A. Chapotkat	..	Petitioner
VS.		
Ajayveersinh G. Chapotkat	..	Respondent

None for Petitioner.
None for Respondent.

CORAM : M. S. SONAK, J.
DATE: 20 NOVEMBER 2015

P.C. :-

1] Neither of the parties nor their Advocates are present. However, since the petition is of the year 2002, it is appropriate that the same is disposed of after taking into consideration the grievance raised in the petition, rather than dismissed for non prosecution.

2] The challenge in this petition is to the interim order dated 6 December 2001 as modified on 10 February 2001 in the context of access as well as payment of interim maintenance.

3] Rule was issued in this petition on 4 April 2004. However, it was made expressly clear that the proceedings before the Family Court are not stayed and the Family Court to proceed with the matter. In view of this order, at this point of time, it is reasonable to presume that the main Petition No. A-438 of 1993 has been

disposed of. In case the same is not disposed of, the Family Court is directed to dispose of the same as expeditiously as possible and in any case within a period of six months from today.

4] At this point of time, it would not be appropriate to interfere with the impugned order. Accordingly, Rule is disposed of with the direction to dispose of the main petition, in case the same has not yet been disposed of.

5] Rule is disposed of accordingly. There shall be no order as to costs.

6] Since neither of the parties nor their Advocates have appeared, the Registry is directed to transmit authenticated copy of this order to the concerned Family Court. This shall be done as early as possible and in any case within a period of four weeks from today.

7] All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)