

nsc.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5607 OF 2015

Anita Harold Martin @Anita Campbell

...Petitioner

v/s.

Harold Louis Martin (OCI)

...Respondent.

Ms.Harjeet Kaur Bhagwant Singh, for the Petitioner.

**CORAM: A. S. OKA &
REVATI MOHITE DERE, JJ.**

DATED : 22nd JULY, 2015.

P.C.

1. The substantive prayers made in this petition reads thus :-
 - (a) that this Hon'ble Court to please direct the Respondent to personally remain present on all hearing of Petition No.A 340/2012 pending in Family Court, Bandra, Mumbai pending between the parties;
 - (b) that Case No. A 340/2012 be please be expeditiously decided ;
 - (c) that Respondent be directed to pay the arrears of maintenance of Rs.75,000/- per month from 13.2.2012 till date as per Order dated 7th August, 2013 of Family Court ;
 - (d) that Respondent be directed to pay the arrears of maintenance as mentioned in Regular Darkhast 438/2014 ;

- (e) that the Respondent be directed to deposit the sale amount in the trial Court of matrimonial home i.e. Flat No.7/752, MHADA, Vanrai, Ushakal Colony, Western Express Highway, Goregaon (East), Mumbai – 400 065 ;
- (f) that Hon'ble Court take necessary action against the Respondent for violating Family Court's order.

2. As far as prayer clauses (a) to (e) are concerned, the petitioner can always seek appropriate reliefs in terms of the said prayers from the Family Court as Petition No. No.A 340/2012 is still pending. As far as prayer clause (f) is concerned, a writ petition under Article 226 and 227 of the Constitution of India is not the remedy.

3. Petition is disposed of by keeping the remedies of the petitioner expressly open.

(REVATI MOHITE DERE,J.)

(A.S. OKA,J.)