

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.54 OF 2013
IN
FAMILY COURT APPEAL NO.58 OF 2014

Sau.Sonia Mahesh Gaikwad	Applicant
versus	
Mahesh Baburao Gaikwad	Respondent

Mr.Manoj A. Patil for applicant.

Mr.Manish Jain i/by Mr.Abhijeet Kandarkar for Respondent.

CORAM : A.S.OKA AND P.D.NAIK, JJ.

DATE : 30th March 2016

PC :

1. This is an application made by the Appellant-wife in the Family Court appeal for stay of execution and operation of the impugned decree of divorce dated 27th April 2012.

2. In a separate order passed today in Civil Application No.462 of 2014, we have recorded a finding that after expiry of period of limitation for preferring appeal against decree dated 27th April 2012 was over, the Respondent-husband has re-married to one Ms.Kadambari Gaikwad on 17th September 2012. The said marriage will have to be held as valid.

3. First two prayers in the application are for seeking final relief in appeal. The third prayer is for stay of the execution of the impugned decree. In view of re-marriage of Respondent-husband, the said prayer cannot be granted and the application is accordingly rejected.

4. We, however, make it clear that this order will not preclude the Applicant from seeking any other appropriate interim relief as may be warranted in the facts of the case.

(PD.NAIK, J.)

(A.S.OKA, J.)

MST