

pmw

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.93 OF 2015
IN
FAMILY COURT APPEAL NO.11 OF 2015

Mrs. Manjushree Pramod Sonawane	... Applicant
Vs.	
Mr. Pramod Shamsunder Sonawane	... Respondent

Ms. Swatantri Waghmare i/by Ms. Kshitija Govind Sarangi for the Applicant.

Mr. Abhijit B. Kadam for the Respondent.

**CORAM : A.S. OKA &
P. D. NAIK, JJ.**

DATE : 23rd MARCH, 2016

PC.

1 Heard the learned counsel appearing for the Applicant and the learned counsel appearing for the Respondent. The challenge is to the decree of divorce passed by the Family Court under Section 10 (x) of the Divorce Act, 1869 in a Petition A.No.1076 of 2009. There was an ex parte decree passed in the said Petition on 30th August, 2010. After the said ex parte decree, it appears that the Respondent – husband remarried. Thereafter, the ex parte decree was set aside. After trial, the impugned decree has been passed. The issue of legality and validity of

the second marriage of the Respondent will have to be gone into at appropriate stage.

2 In view of these peculiar facts, prayer for stay cannot be considered now. The ad-interim stay granted earlier was vacated by this Court by order dated 7th August, 2015.

3 Application is accordingly disposed of.

(P. D. NAIK, J)

(A.S. OKA, J)