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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.101 OF 2013 IN
FAMILY COURT APPEAL NO.101 OF 2012

Rohini Priyadarshan Sharma ...Applicant
vs.
Priyadarshan Jaichand Sharma ...Respondent

Mr.Y.M.Kanchan for the applicant
Mr.Jeevan Kuril i/b Mr.Pradip D. Gavali for the
respondent

CORAM : A.S.OKA, &
 A.A.SAYED, JJ.
DATE : AUGUST 3, 2016

P.C.:

1 Heard the learned counsel for the applicant. The applicant is the appellant in the Family Court Appeal. The challenge in the Family Court Appeal is to the Decree dated 29th December 2011 by which the Petition No.A-1361 of 2010 filed by the present applicant has been partly allowed. In this application, relief of injunction is claimed in respect of a flat which is allegedly acquired jointly by the applicant and the respondent.

2 We have perused the prayers made in the petition before the Family Court. There is no substantive relief sought in the said petition before the Family Court in respect of the said flat. Only an interim relief was sought as regards the flat. Therefore, the objection raised by the

respondent in the reply that no relief can be claimed in respect of the flat in the pending appeal will have to be upheld.

3 Therefore, application is rejected. However, we make it clear that it will be open for the applicant to file appropriate proceedings in accordance with law for seeking reliefs which are claimed in this Application in respect of the flat in question. All the contentions of the parties in that behalf are kept open.

(A.A.SAYED,J.)

(A.S.OKA,J.)