

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO.196 OF 2014

Mr. Chetan Vasant Dhotre.	..	Appellant
Vs		
Mrs. Sharmishtha Chetan Dhotre.	..	Respondent
—		
Shri K.N. Kandekar for the Appellant.		
Shri Priyal G. Sarda for the Respondent.		
—		

CORAM : A.S. OKA & P. D. NAIK, JJ
DATED : 22ND MARCH 2016

PC.

1. The learned counsel appearing for the Appellant states that this Appeal is confined to the order passed by the Family Court on 5th March 2014 in Petition No.E-424 of 2009. The said Petition has been filed under Section 125 of the Code of Criminal Procedure, 1973. In view of Sub-section (2) of Section 19 of the Family Court Act, 1984, the Appeal against the order made by the Family Court on the Application under Section 125 of the said Code is not maintainable. The remedy under Sub-section (4) of Section 19 of the said Act of 1984 is available to the Appellant. Hence, we dispose of the Appeal as not maintainable by granting him liberty to adopt appropriate remedy. We may, however, make it clear that in the proceedings which may be filed by the Appellant, the conduct of the Appellant as reflected in the order

dated 24th July 2015 passed in Civil Application No.122 of 2015 will have to be considered by the appropriate Court.

2. Civil Application Nos.122 of 2015 and 264 pf 2015 do not survive and the same are disposed of.

(P. D. NAIK, J)

(A.S. OKA, J)