

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

CIVIL APPLICATION NO. 143 OF 2016
IN
FAMILY COURT APPEAL NO. 33 OF 2015

Mahendra Singh @ Nirbhay Singh Thakur ... Applicant

V/s.

Rajnigandha @ Rita Singh ... Respondent

Mr. R.V. Sankpal for the applicant.
Mr. Anand Pandey for the respondent.

**CORAM : NARESH H. PATIL AND
PRAKASH D. NAIK, JJ.**

8th July, 2016.

P.C.

Applicant has prayed for following reliefs:-

(a) That, this Hon'ble Court be pleased to direct the appellant to open the lock put on premises being Mauli Tolla Building, First Floor, Room No. 101 to 105, Linking Road, Khar (West), Mumbai 400 053 and hand over the possession to the applicant for his cohabitation, during

the pendency of the Family Court Appeal.

(b) That this Hon'ble Court be pleased to direct the appellant to forthwith remove the bouncers/security guards deployed by her at the premises and further not to create any nuisance, disturbance.

2. Learned Counsel submits that applicant was residing in Pune. He has been driven out of house forcibly. Security guards are deployed there by his wife. The matter was referred to police by the applicant. It is submitted that applicant is homeless inspite of purchasing subject properties in the name of his wife.

3. This statement is contradicted by the counsel for respondent. Affidavit has been filed by respondent. Applicant has filed a rejoinder. We have perused the same.

4. In the facts, we observe that applicant would resort to appropriate alternate remedies as permissible in law in respect of his allegation that he was possessing one of the rooms out of 10 to 15 rooms on linking road and that he was forcibly dispossessed from the said property. In the proceedings of present nature, we are not inclined to grant interim-relief.

Keeping all issues on merits open for the applicant, civil application stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.