

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7023 OF 2016

Smita Jayant Patil-Vete

.....Petitioner

V/s.

Jayant Arun Vete

.....Respondent

* * * * *

Mr. Amrut M. Vernekar, Advocate for the petitioner.

Mr. Dujendra Kumar Sharma, Advocate for the respondent.

CORAM :- SMT. R.P. SONDURBALDOTA, J.

DATED :- 5TH JULY, 2016.

P.C. :

- 1). Rule. Rule made returnable forthwith. By consent of the parties, taken up for hearing immediately.
- 2). This petition challenges the order dated 26th May, 2016 by which the Family Court has struck off the defence of the petitioner under Order 39 Rule 11 Civil Procedure Code on the ground that the petitioner has violated the order dated 9th June, 2015.
- 3). The order alleged to have been violated by the petitioner directs the respondent, husband to handover the belongings, jewelery and car to the petitioner in the presence of the Marriage

Counsellor on 24th June, 2015. The grievance of the respondent has been that, the petitioner has refused to accept her belongings. The refusal to accept the belongings cannot be said to be violation of the order passed by the Court. Such refusal may, at the highest, make certain arguments available to the respondent as regards the said properties. In the circumstances, the impugned order cannot be sustained. The petition is therefore allowed in terms of prayer clauses (a) and (b).

(SMT. R.P. SONDURBALDOTA, J)