

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

FAMILY COURT APPEAL (ST) NO. 17210 OF 2016
with
CIVIL APPLICATION NO. 163 OF 2016
IN
FAMILY COURT APPEAL (ST) NO. 17210 OF 2016

Mrs. Pallavi Pravin Chalke @
Miss Kamini Kashinath Davane ... Applicant

V/s.

Mr. Pravin Kamlakar Chalke ... Respondent

Mr. Shishir Joshi i/b. Ms. Priti S. Joshi for the applicant.

Ms. K.H. Rajani for respondent.

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

1st July, 2016.

P.C.

Not on Board. Upon production taken on Board.

2. Learned Counsel appearing for respondent-husband in appeal raised preliminary objection about the maintainability of appeal as according to the Counsel the appeal is filed against interim order.

Learned Counsel appearing for wife submits that she is working in private nursing home. Sometimes it is difficult to get the Court notice served upon her. She is financially not capable enough to prosecute multiple proceedings. At this stage learned Counsel seeks indulgence that workable arrangement be made till the wife prepares appropriate reply and contest the application and proceedings in the trial Court. It is submitted that next date in the trial court is on Monday which needs to be adjourned.

3. We clarify that the appeal is filed against interlocutory order. Looking on the fact that wife is a nurse and has to attend to her duties and for allowing wife to get copies of the orders and for preparing reply to contest the application proceedings in the trial court, we find it appropriate to direct the trial court to adjourn the hearing of trial court proceedings for a period of two weeks.

4. In the meanwhile, parties shall maintain status-quo as on today in respect of custody of children.

5. All the parties undertake to cooperate with the trial court in expeditious disposal of matter.

6. With the above observations and directions, civil application stands disposed of. Appeal is dismissed as not maintainable.

7. Registry to transmit copy of this order to trial Court forthwith.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.