

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9514 OF 2015

Sumedha Mudras

.. Petitioner

vs.

Shirish Mudras

.. Respondent

Mr. S. Khaire for the Petitioner.

Mr. H.P. Vyas i/b S.R. Waghmare for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 28 JULY 2016.

P.C. :-

1] The challenge in this petition is to the judgment and decree dated 5 February 2015 made in Petition No. A-1465 of 2009 by the VIth Family Court at Mumbai at Bandra.

2] As against the impugned judgment and decree, the petitioner has equally efficacious and alternate remedy by way of institution of the substantive appeal. In fact, learned counsel for the respondent objects to entertainment of the present petition on the ground that the petitioner has such an alternate and efficacious remedy available to her.

3] For the aforesaid reasons, this petition is not entertained. However, this shall not preclude the petitioner from instituting an appeal against the impugned judgment and decree. Further, if such appeal is instituted within a period of six weeks from today, then, the Appeal Court will take into consideration the circumstance that the petitioner was *bonafide* pursuing this petition, in the matter of redressal against the impugned judgment and decree dated 5 February 2015.

4] With the aforesaid observations, this petition is disposed of.

5] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

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