

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.550 OF 2016
IN
REVIEW PETITION ST. NO.21634 OF 2015
IN
WRIT PETITION NO.1804 OF 2015

Mr.Prasad Acharya ... Applicant

Vs.

Mrs.Rachana prasad Acharya & anr. ... Respondents

Mr.Bharat Mehta for the Applicant
Mr.U.S. Samudrala for Respondent No.1

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **APRIL 12, 2016**
(IN CHAMBERS)

P.C.:

1. The review petition is moved for review of the order dated 18.6.2015. The learned Counsel for the applicant submits that there is a delay of 22 days. The learned Counsel for the respondent No.1 is present.
2. Considering the period of delay, the delay is condoned. Civil Application is disposed of.

REVIEW PETITION ST. NO.21634 OF 2015:

3. By order dated 18.6.2015, the matter was remanded to the Family Court. It is informed that the learned Judge of the Family Court has

entertained the issue and has passed the order. The said order was challenged before the High Court and that petition was dismissed.

4. The learned Counsel for the applicant/husband submits that the fact that the respondent / wife was alone paying the EMI since last 4 years was suppressed to this Court and, therefore, the question of husband paying the EMI does not arise.

5. Considering the submissions, there is no need to review the order dated 18.6.2015 as the submission cannot be said to be within the ambit of section 114 of the Code of Civil Procedure. There is no question of review as the husband was directed to pay EMI by this Court.

6. Review petition is accordingly dismissed.

(MRIDULA BHATKAR, J.)