

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.305 OF 2015**

IN

FAMILY COURT APPEAL NO.190 OF 2015

Sheila Preschchandra Shah ...Applicant

In the matter between

Sheila Preschchandra Shah ...Appellant

Versus

Rupal Shah ...Respondents

...

Ms Seema Sarnaik with Ms Chinmayee Vaidya for the
Applicant/Appellant.

Mr. Jitendra R. Jadhav i/b. GMS Legal for the Respondents.

**CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 13th DECEMBER, 2016.

P. C. :

Heard the learned counsel appearing for the Applicant.

The Family Court appeal preferred by the Applicant against the order dated 27th March, 2015 passed by the learned Judge of the Family Court has been admitted.

2. The Applicant is the mother in law of the Respondent. Issue of jurisdiction was raised by the Applicant before the Family Court after the present Applicant was impleaded as a party Respondent

after the death of her son. An application made by the Applicant before the learned Judge of the Family Court raising the issue of jurisdiction of the family Court was rejected by the impugned order.

3. As the issue of the jurisdiction of the Family Court goes to the root of the matter, further proceedings before the Family Court will have to be stayed till the final disposal of the Appeal. Accordingly, we pass the following order:-

ORDER

Rule is made absolute in terms of prayer clause (a).

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)