

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO.200 OF 2016

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Ms. Vrushali Maindad i/b Shri Abhijeet A. Desai for the Appellant.

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

DATED : 8TH DECEMBER 2016

P.C.:

. The impugned decree has been passed by the Court of Civil Judge, Senior Division at Pune, on a Petition under Section 13 of the Hindu Marriage Act, 1955. Hence, the Family Court Appeal is not maintainable. The Appellant will have to prefer an Appeal before the appropriate forum under Section 28 of the Hindu Marriage Act, 1955.

2. Accordingly, we direct the Registry to return the Appeal along with the Application to the

Advocate for the Appellant for presentation to the appropriate Court.

3. If Appeal is preferred by the Appellant before the appropriate Court, the said Court is bound to take a notice of the fact that the present Appeal was filed by the Appellant in this Court on 12th October 2016 and the same remained pending till today.

(SMT.ANUJA PRABHUDESSAI, J)

(A.S.OKA, J)