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

***CIVIL APPLICATION No. 50 OF 2015***

***IN***

***CONTEMPT PETITION (CIVIL) No. 366 OF 2015***

***IN***

***FAMILY COURT APPEAL No. 196 OF 2014***

***Mrs. Suman Vasant Dhotre*** ***...Applicant***

***In the matter between***

***Mrs. Sharmishtha Chetan Dhotre*** ***...Petitioner***  
***(Original Respondent)***

***Vs.***

***Mr. Chetan Vasant Dhotre*** ***...Respondent***

***And***

***Mr. Vasant Amruit Dhotre*** ***...Respondent/  
Contemnor No.2***

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Mr. Sachin H. Kankal, for the Applicant  
Mr. Priyal G. Sarda, for the Petitioner  
None for the Respondent

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***CORAM : V. M. KANADE &  
SMT. SWAPNA S. JOSHI, JJ***

***DATE : AUGUST 23, 2016***

**P.C. :**

1. This application is filed by the mother-in-law of the Petitioner-wife- Original Respondent in the Family Court Appeal. By our order dated 4<sup>th</sup> September, 2015, we had appointed a Court Receiver in respect of the property owned by the husband though it stands in the name of father -in-law (Respondent No.2 in the contempt petition) of the Petitioner wife. The application has now been made by the mother-in-law of the Petitioner-wife (Original Respondent in FCA), claiming that she is the owner of the property. She also claims that the said property was received by her as '*Stridhan*'. It is, therefore, submitted that the order dated 4<sup>th</sup> September, 2015 may be vacated.

2. It will not be possible to accept the plea of the Applicant raised for the first time, after the impugned order was passed on 4<sup>th</sup> September, 2015. This Court was constrained to pass the order dated 4<sup>th</sup> September, 2015 since Respondent No.1 -husband (Org. Appellant in FCA) is refusing to pay the maintenance to the Petitioner -wife (Org. Respondent in FCA). The Appellant -Husband is working in Canada and, as such, it is difficult to execute the order of maintenance, which is passed against him. It is obvious that the Appellant-Husband is playing hide-and-sick

in this Court and is refusing to comply with the directions given by this Court from time to time.

3. Now a fresh application is filed on behalf of his mother and a new contention is raised that the property is received by her as '*Stridhan*'. This plea was never raised in this past. We are, therefore, not inclined to vacate the order passed by us on 4<sup>th</sup> September, 2015. Hence, the Civil Application is dismissed.

***SMT. SWAPNA S. JOSHI, J.***

***V.M. KANADE, J.***