

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.462 OF 2014
IN
FAMILY COURT APPEAL NO.58 OF 2014

Ms.Kadambari M. Gaikwad Applicant

In the matter of :

Mrs.Sonia M. Gaikwad Appellant

versus

Mahesh Baburao Gaikwad Respondent

Mr.Sachin Chandan for Applicant.

Mr.Manish Jain i/by Mr.Abhijeet Kandarkar for Respondent.

CORAM : A.S.OKA AND P.D.NAIK, JJ.

DATE : 30th March 2016

PC :

1. Heard learned counsel appearing for the Applicant. The Applicant is one Ms.Kadambari Mahesh Gaikwad. It appears that the marriage between the Applicant and the Respondent in the Family Court Appeal (Mahesh Gaikwad) was solemnized on 17th September 2012. A photocopy of the certificate of registration of marriage is annexed to the application.

2. In the family court appeal, the challenge is to the decree of divorce in respect of first marriage of the said Mahesh

Gaikwad with the Appellant Sonia. The decree is dated 27th April 2012. Family Court appeal is filed after expiry of the period of limitation and the delay has been condoned by order dated 12th February 2014. As the marriage between the Applicant in this application and the Respondent in Family Court appeal has been solemnized after the period provided in Section 15 of Hindu Marriage Act, 1955 had expired, there is no invalidity attached to the marriage and infact, the Applicant has given birth to a child on 24th December 2013.

3. The grievance in this application as submitted by the Applicant appearing in person appears to be that the Appellant and Respondent are harassing her. On the basis of such allegations, the Applicant is dis-entitled to claim any relief in the present Family Court appeal. She will have to adopt appropriate proceedings in accordance with law. By granting liberty to the Applicant to adopt appropriate reliefs in accordance with law, Civil Application No.462 of 2014 is disposed of.

(PD.NAIK, J.)

(A.S.OKA, J.)