

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12525 OF 2016

SUNITA GOVIND KONDA
VERSUS
DATTATRAY APPARAO GADAM AND OTHERS

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Advocate for Petitioner : Shri Deshmukh Arvind
Advocate for Respondent 2 : Shri Deshmukh B.G.
Advocate for Respondent 5 : Shri Chandole S.V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated : June 28, 2017

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PER COURT :-

1. The petitioner is aggrieved by the order dated 24.8.2016, by which, her application Exhibit 60, praying for maintenance from her father and brother is rejected on the ground that she is a married lady and is living with her husband in her marital home.
2. The petitioner contends that her share in the property in the light of the demise of her father can be carved out and as such, as her brothers are enjoying the property, her share will have to be paid by her brothers.
3. I have considered the submissions of the learned Advocates for the respective sides.
4. Special Civil Suit No.47 of 2010 is pending final adjudication.

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5. Considering the above and since an interlocutory order is challenged, I am of the view that this petition can be disposed off by directing the trial Court to decide the pending suit as expeditiously as possible.

6. As such, this petition is disposed off. Special Civil Suit No.47 of 2010 shall be decided by the trial Court as expeditiously as possible and before 15.2.2018. All contentions of the litigating sides are kept open.

(RAVINDRA V. GHUGE, J.)

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