

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 284 OF 2017  
IN  
FAMILY COURT APPEAL NO. 100 OF 2016

Mr. Vijay s/o. Kalyanapa Hanchinal ....Applicant

**IN THE MATTER BETWEEN :**

Mrs. Rupa W/o. Vijay Hanchinal ....Appellant  
V/s.

Mr. Vijay s/o. Kalyanappa Hanchinal ....Respondent

\* \* \* \* \*

Mr. Kshitij Surve, Advocate for the applicant.

Mr. R.V. Sankpal, Advocate for the respondent.

**CORAM :- R.M. SAVANT &**

**SANDEEP K. SHINDE, JJ.**

**DATE :- 12TH DECEMBER, 2017.**

**P.C. :-**

1. The above Civil Application has been filed seeking expeditious hearing of the above Family Court Appeal. The above Family Court Appeal arises out of a decree for

restitution of conjugal rights passed against the applicant, wife. The ground made out for seeking expedition, is that the stay granted in the above Appeal, is coming in the way of the applicant/original respondent in various proceedings. The above Family Court Appeal is of the year 2016. There are other Family Court Appeals which are pre-dating the above Family Court Appeal. Hence, the above Family Court Appeal cannot gain precedence over the other Appeals. However, since expedition is sought on the ground that, the pendency of the above Family Court Appeal causes prejudice to the above applicant/original respondent. In the facts and circumstances of the case, the above Family Court Appeal to be listed for final hearing in the week commencing 2<sup>nd</sup> April, 2018. The Civil Application is accordingly disposed of.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)