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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.304 OF 2013
IN
FAMILY COURT APPEAL NO.106 OF 2014**

Mr. Benhur Ramesh Thakur	... Applicant
Vs.	
Mrs. Asmita Benhur Thakur	... Respondent

Mr. N.D. Pote i/by Asim Sarode & Kulkarni & Associates for the Applicant.
Mr. Nilanjan Nachankar i/by Mr. Aniket U. Nikam for the Respondent.

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

DATE : 10th FEBRUARY, 2017

P.C.

1 By the impugned decree, apart from deciding the issue of custody, a decree of restitution of conjugal rights has been passed against the applicant. Pending the final disposal of the appeal only that part of the decree will have to be stayed.

2 Accordingly, we pass the following order :-

(i) Till the final disposal of the Appeal execution and operation of clause 2 of the operative part of the impugned decree will remain stayed. We clarify here

that by clause 2 of the operative part of the decree, the applicant has been directed to resume cohabitation with the respondent;

(ii) Application is disposed of on above terms.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)