

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.O. NO.888/2017 IN FAMILY COURT APPEAL NO. 13514/2017
 (SANGITA PRAKASH KIRDE **VERSUS** PRAKASH PAYOSHNIDHAR KIRDE)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri V.G. Bhambhurkar, counsel for the applicant.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : SEPTEMBER 26, 2017.

Heard. Perused the contents of the application.

For the reasons stated therein, the prayer made in
 the application is granted. The civil application is allowed
 and disposed of.

F.C.A. ST. NO.13514/2017.

Heard.

ADMIT.

Call for Record & Proceedings.

C.A.O. NO. 889/2017.

Heard. Perused the judgment of the Family
 Court.

In the circumstances of the case, the prayer made
 by the applicant for staying the effect and operation of the
 judgment of the Family Court cannot be granted. The Family
 Court has held that the respondent/non-applicant is the co-
 owner of the house and the applicant cannot, therefore,
 restrain the respondent/non-applicant from entering his own
 house. We *prima-facie* do not find any illegality in the
 judgment of the Family Court.

The civil application is, therefore, rejected.

JUDGE

JUDGE

APTE