

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

SECOND APPEAL NO. 559 OF 2013

Savaleram Sitaram Paimode

...Appellant

Versus

Sau. Suman Savalerao Paymode

...Respondent

Mr. R.K. Temkar, Advocate for Appellant

Mr. A.S. More, Advocate h/f Mr. R.A. Tambe, Advocate for
Respondent

CORAM : A.M. DHAVAL, J.

DATE: 24th NOVEMBER, 2018

ORAL ORDER :

1. The HMP No. 9 of 2008 for decree of divorce on the ground of mental cruelty and desertion was dismissed by Civil Judge, Senior Division, Ahmednagar and the said decree has been confirmed by District Judge-5, Ahmednagar in Regular Civil Appeal No. 18/2010. The existence of mental cruelty and desertion are findings of facts. This Court can interfere only when the findings of fact are based on no evidence or inadmissible evidence, or admissible evidence is ignored or settled legal principles have not been followed or the evidence has been misread.

2. Heard learned Advocates. No such perversity or consideration or non-consideration on the admissible evidence has been pointed out. I rely on the ***Syeda Rahimunnisa Vs.Malan Bi (2016) 10 SCC 315 and Ishwar Dass Vs. Sohan Lal AIR 2000 SC 426*** to hold that this Court cannot interfere with the concurrent findings of facts. Hence, the appeal is dismissed in limine.

(A.M. DHAVALÉ)
JUDGE

mta