

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

CIVIL APPLICATION NO. 16093 OF 2016
IN FA/4387/2016

SHENFADU SANDU WAGH
VERSUS
LEELABAI VITTHAL DHANWAL

...
Advocate for Appellant : Mr. R. M. Joshi
Advocate for Respondent : Mr. S.V.Ekbote, Mr. V.R.Mundada.
...

CORAM : K.K. SONAWANE, J.

DATED : 10TH JANUARY, 2018.

Order :-

When the matter is called, none appears for respondent.

2. Heard Mr. R. M. Joshi, learned counsel for appellant.
3. Learned counsel for appellant submits that respondent-original applicant has filed execution petition before the learned trial Court to get impugned Order executed for custody of minor girl - Aishwarya. He insisted for interim relief of stay to the impugned Order of the learned Trial Court.
4. Considering the nature of subject matter and the reasons mentioned in the application, at this stage, I find it justifiable to grant interim stay to the impugned Judgment and Order in regard to delivery of the custody of minor girl - Aishwarya in favour of respondent-original applicant Smt. Leelabai w/o. Vitthal Dhanwai. Moreover, learned counsel for respondent remained absent when the matter is called out.
5. In view of nature of the subject matter, there is no impediment to grant interim relief as prayed. Hence, application stands allowed in terms of prayer clause 'B'. The implementation

and execution of the impugned Judgment and order dated 22-11-2016 passed by learned District Judge-5, Aurangabad, in Civil M. A. No. 318 of 2014, for delivery of custody of minor girl - Aishawarya in favour of respondent-original applicant is hereby stayed till further order.

5. Stand over to 14-02-2018.

[K. K. SONAWANE]
JUDGE

rrd.