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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2701 OF 2015

Mrs. Rishabha Ankit Vohra

.. Petitioner

Vs.

Mr. Ankit Vohra

.. Respondent

Ms. Madhavi M. Pillai for the Petitioner.

Ms. Madhubala P. Shetty for the Respondent.

CORAM : K. K. SONAWANE, J.

DATE : 2nd AUGUST, 2018.

P. C. :

1. Heard learned Counsel for petitioner-wife and learned Counsel for respondent-husband.
2. The present petition is directed against the impugned order passed by the Family Court, Mumbai in Petition C-90/2013 rebuffing the relief of interim maintenance claimed by the petitioner-wife pending the proceeding filed under Sections 18 and 20 of the Hindu Adoption and Maintenance Act, 1956. The learned Trial Court after appreciating the circumstances on record refused to grant any interim maintenance to the wife and passed impugned order which is challenged in this writ petition.
3. During the course of hearing of the writ petition, both the learned Counsel appearing for the petitioner-wife and respondent-husband fairly conceded that, instead of hearing of the present Writ Petition on merit,

they are ready to appear before the concerned Trial Court to get the proceeding of maintenance claimed under Hindu Adoption and Maintenance Act and allied proceedings finalised on merit, subject to condition that the concerned learned Trial Court be directed for expeditious hearing of the matter and its adjudication within stipulated period.

4. In view of submission, there is no impediment to issue directions to the concerned Trial Court for expeditious hearing of Petition No. C-90/2013 which is pending since long for its adjudication on merit. In such circumstances, the writ petition deserves to be disposed of with certain directions.

5. Accordingly, the writ petition stands disposed of.

6. The learned Judge of the Family Court, Mumbai is hereby directed for expeditious hearing of Petition No. C-90/2013 and allied proceedings for their adjudication on merits at the earliest, more particularly, within a period of six months from the receipt of this order.

7. The parties to the proceeding shall cooperate to the learned Trial Court for adjudication of the matter within stipulated period as mentioned above and in case the learned Trial Court observed any sort of non-cooperation from the parties to the proceedings, the Trial Court is at liberty to pass appropriate order to get the petition finalised within stipulated period.

8. At this stage, the learned Counsel for the respondent-husband

submit that the respondent has also filed divorce petition under Section 13 of the Hindu Marriage Act. The learned Trial Court has already clubbed and consolidated both the proceedings for simultaneous hearing on merits. In case, the learned Trial Court finds any difficulty to adjudicate the Petition No. C-90/2013 accompanied with divorce petition within the stipulated period as directed above, the Trial Court is at liberty to detach/segregate the divorce petition from Petition No. C-90/2013.

9. With above observations, Writ Petition is hereby disposed of. No order as to costs.

Arjun Machhindra Kadam	Digitally signed by Arjun Machhindra Kadam Date: 2018.08.16 15:52:56 +0530	[K. K. SONAWANE, J.]
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