

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 6248 OF 2018

Mrs. Charu Sudhir Suri	...Petitioner
<i>Versus</i>	
Mr. Sudhir Manoharlal Suri	...Respondent

....
Ms. Purvi Shah a/w. Ashok Yadav and Mehtab Alam, for the Petitioner.
....

CORAM : R. G. KETKAR, J.

DATE : 14th JUNE, 2018

P.C.

1. Heard Ms. Purvi Shah, learned counsel for the petitioner.
2. By this Petition under Article 227 of the Constitution of India, the petitioner has challenged the judgment and order dated 22.8.2016 passed by the learned Jt. Civil Judge, Senior Division, Thane in Marriage Petition No.346/2015. By that order, the learned trial Judge allowed the Petition filed under Sections 13(1)(ia) and 26 of the Hindu Marriage Act, 1955 (for short, 'Act') and dissolved the marriage between the parties performed on 30.9.2003. The learned trial Judge directed the petitioner herein to give temporary custody of the child Rudraksh to the respondent herein.

3. In view of Section 28 of the Act, Ms. Shah seeks permission to withdraw this Petition with liberty to institute substantive appeal.

4. In view thereof, on the motion made by Ms. Shah, the Petition is allowed to be withdrawn and is disposed of as such with liberty as prayed for. It is made clear that I have not examined the merits of the case. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)