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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.244 OF 2017

IN

FAMILY COURT APPEAL NO. 145 OF 2017

Smt Hemlata N. Morankar

..Applicant

Vs.

Mr. Nilesh R. Morankar

..Respondent

Mrs. Neha Mehta, for the Applicant.

Mr.Sujay H. Gangal, for the Respondent.

CORAM:-K. K. TATED & B. P. COLABAWALLA,JJ.
DATE :- JULY 9, 2018.

P. C.:

Heard. The Applicant is seeking a stay to the operation and implementation of clause no.2 of the Family Court judgment and decree dated 20th April, 2017 in petition no.A-763 of 2012 which reads thus:-

“The marriage between petitioner and respondent solemnized on 20/06/2011 is hereby dissolved by a decree of divorce on the ground of cruelty, from the date of this order.”

2 Considering the submissions made by the learned counsel

for the Applicant and the averments made in the Civil Application, we are satisfied that the Applicant has made out a case for allowing the present Civil Application in following terms:-

a) The operation and implementation of the judgment and decree dated 20th April, 2017 passed by the Family Court No.4 being in Petition No.A-763 of 2012 is stayed in respect of clause 2 only which reads thus:-

“The marriage between petitioner and respondent solemnized on 20/06/2011 is hereby dissolved by a decree of divorce on the ground of cruelty, from the date of this order.”

3 Civil Application stands disposed off accordingly. No order as to costs.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)