

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

**CIVIL APPLICATION NO.259 OF 2016
IN
FAMILY COURT APPEAL NO.118 OF 2016**

Anand Vishnu Tambe	 Applicant
versus	
Mrs.Anita Anand Tambe	... Respondent

.....

- Ms.Avanti Inamdar i/b. R.N. Gite, Advocate for the Applicant.
- Mr.T.N. Sonawane, Advocate for the Respondent.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : 22nd JANUARY, 2018.**

P.C. :

1. Heard learned counsel for the parties.

2. This is a Civil Application for stay of operation and implementation of the Judgment and Decree dated 11/04/2016 passed by the Judge, Family Court Nashik, in Petition A. No.124/13 allowing Respondent/wife's Petition for restitution of conjugal right.

3. The abovementioned matter was adjourned from time to time. Thereafter the matter was kept in chamber on 15/01/2018. At that time, the Applicant and Respondent were present before this Court. The Respondent/wife showed her willingness to go and stay with the Applicant, wherever he wants. Hence the matter was adjourned for today. Today, the learned counsel appearing on behalf of the Applicant submitted that it is not possible for the husband to allow the Respondent to stay with him.

4. Considering the submissions made by the learned counsel for the Applicant, the observations made by the trial Court in its judgment dated 11/04/2016 and particularly in paragraph No.12, we are of the opinion that the Applicant has failed to make out case for stay. Hence following order :

(A) Civil Application stands dismissed.

(B) No order as to costs.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)