

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

**CIVIL APPLICATION NO.245 OF 2017
IN
FAMILY COURT APPEAL NO.95 OF 2015**

Dr. Sangita Manish Ganvir : Applicant.

In the matter of

Dr.Manish Bapurao Ganvir : Appellant.

Versus

Dr. Sangita Manish Ganvir : Respondent.

Mr. Ravindra V Sankpal for the Applicant/Org. Respondent.

Mr. B C Joshi for the Respondent/Org.Appellant.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE, JJ.**

DATE : 22nd FEBRUARY 2018

P.C.

1 The above Civil Application has been filed in the above Family Court Appeal for the following reliefs :-

(a) The Appellant Shri Manish Bapurao Ganvir be directed to apply for the Caste Certificate of Ms. Kanchan Manish Ganvir and Ms. Jasmit Manish Ganvir under the provisions of Maharashtra Scheduled Caste Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 and obtain the same within 2 months.

(b) That the Appellant be directed to get the Caste Certificates of Ms. Kanchan Manish Ganvir and Ms. Jasmit Manish Ganvir within 2 months.

2 The above Family Court Appeal arises out of the judgment and

order passed by the Family Court rejecting the application for divorce filed by the original Appellant.

3 Having regard to the nature of the reliefs sought by way of the above Civil Application in the above pending Family Court Appeal we are afraid that the said reliefs cannot be countenanced by us in the proceedings which relate to a matrimonial dispute between the parties. The above Civil Application is accordingly rejected on the said ground. However, it would be open for the Applicant – original Respondent to adopt such remedies or proceedings as are available and permissible in law. Needless to state that if any such proceedings are filed, the same would be tried on their own merits and in accordance with law.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]