

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

SECOND APPEAL NO. 509 OF 2018

1. Sou. Harshali Ashish Magadum,

Before marriage

Kum. Harshali d/o Sanjay Patil

2. Shri. Ashish Ashok Magadum

... **Appellants**

V/s.

No one

... **Respondent**

Mr. T. S. Ingale a/w Nikhil Pawar for the Appellant.

CORAM : A.M.DHAVALA, J.

DATE : 4th SEPTEMBER, 2018

P.C.:

1 The husband and wife on 23.04.2018 applied for divorce by mutual consent and along with petition, they filed application under proviso of Section 14 for granting exemption from filing the petition after period of one year from the date of divorce. The said application came to be rejected and the first appeal filed against the same also came to be rejected.

2 In the second appeal, after hearing the parties, I find that the said order would not amount to a decree as it does not finally determine the rights between the parties.

3 Considering the fact that the learned Counsel for the Appellant seeks to invoke the inherent jurisdiction of this Court, he is permitted to withdraw the

second appeal with liberty to avail any other legal remedies open to him. No opinion expressed about the remedies open.

4 Second Appeal stands disposed of as withdrawn.

(A.M.DHAVALA, J.)