

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

**FAMILY COURT APPEAL NO.85 OF 2016
WITH
CIVIL APPLICATION NO.9 OF 2016
IN
CONTEMPT PETITION NO.85 OF 2016**

Shri Anna Abhang ... Appellant
v/s
Mrs Shakuntala Anna Abhang ... Respondent

Mr Abhijit Patil i/b Mr Ajay S. Patil for Appellant.
Mrs Vaishali S. Nimbalkar for Respondent.

***CORAM : K.K. TATED AND
B.P. COLABAWALLA, JJ.***

DATE : 09 March, 2018.

P.C. :-

1. Heard learned counsel for the parties.
2. By this Family Court Appeal, the Appellant is challenging the order dated 4th March 2015 passed by Family Court, Bandra, Mumbai in Civil Miscellaneous Application No.126 of 2014 directing the Appellant to pay maintenance to the Respondent wife at the rate of Rs.6,000/- p.m. instead of Rs.3,000/- p.m. as per earlier order. The

learned counsel for Appellant further submits that during the pendency of the present Appeal, the Respondent – wife filed another Civil Miscellaneous Application No.29 of 2017 before the Family Court, Bandra, Mumbai for further enhancement of maintenance charges at the rate of Rs.20,000/- p.m. He further submits that he received instructions from his client, who is present in Court, to withdraw the present Appeal as well as Civil Application with liberty to contest Civil Miscellaneous Application No.29 of 2017 pending before the Family Court, Bandra, Mumbai on its own merits. To that effect, he has given in writing. The same is taken on record and marked 'X' for identification, same is accepted. Hence the following order :-

- “(a) Family Court Appeal No.85 of 2016 and Civil Application No.9 of 2016 stand disposed off as withdrawn.
- (b) The Family Court, Bandra, Mumbai to decide Civil Miscellaneous Application No.29 of 2017 on its own merits without influencing the order passed by this Court.
- (c) No order as to costs.”

(B.P. COLABAWALLA, J)

(K.K. TATED, J.)