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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.132 OF 2018
IN
FAMILY COURT APPEAL NO.17 OF 2018

Harshad Dilip Joshi ..Applicant

v.

Mrs.Maithili Harshad Joshi ..Respondent.

Mr.Mahendra M. Agavekar, for the Applicant.
Mrs.Prabha B. for the Respondent.

**CORAM : INDRAJIT MAHANTY &
SARANG V. KOTWAL, JJ.**

DATE : 27th FEBRUARY, 2019.

P.C.

1] Heard learned counsel for the respective parties. In this Civil Application, the Applicant has sought to challenge essentially the order passed under Exhibit 221 by the Family Court, Pune. It appears that essentially the present civil application seeks to challenge the direction issued by the learned family Court granting interim maintenance to the respondent. The said order of grant of maintenance was challenged by the present Appellant before this Court in Writ Petition No.6942 of 2014 and the same came to be rejected by order dated 30th July, 2015.

2] Further it appears that the proceeding before the Family Court on behalf of the Petitioner-husband came to be dismissed on 17th May, 2017 and for non-payment of interim maintenance, execution proceeding has already been initiated by the respondent-wife.

3] In the present case, subject matter of challenge is an impugned order dismissing the Petitioner's prayer for divorce. Consequently, we are of the considered view that the present Civil Application is beyond the scope of the present Family Court Appeal and hence it will be not maintainable. The Petitioner is at liberty to seek legal remedy as may be available to him in law. Accordingly, Civil Application No.132 of 2018 stands disposed off.

(SARANG V. KOTWAL, J)

(INDRAJIT MAHANTY, J)