

during the course of oral arguments by her Counsel. Howsoever strange and if we may add, heartless it may sound, but this is a hard reality. The wife has therefore filed this Application seeking stay of that portion of the judgment of the Family Court, under which the Court has directed the husband to hand over the custody of the child to her. In fact, we wonder whether the husband who is directed to hand over custody of the child, can even ask for execution of said direction.

3. Learned Counsel Mr.Niranjan Mogre for the Respondent/Husband stated on the instructions that under such circumstances, the husband is not willing to continue to take care of the child. In spite of that the husband does not intend to file Execution Petition for implementation of these directions of Family Court.

4. Under such circumstances we see no reason to pass any such order in this Civil Application as prayed for. The same is disposed of.

(SARANG V. KOTWAL, J.)

(AKIL KURESHI, J.)