

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

**CIVIL APPLICATION NO. 147 OF 2017
IN
FAMILY COURT APPEAL NO. 148 OF 2017**

Mr.Japvir Singh Vohra	...Applicant
<i>Versus</i>	
Mrs.Trisha Kaur Vohra	...Respondent

....

- Mr. Wesley Menezes i/b. Surel S. Shah, Advocate for Applicant.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : 08th NOVEMBER, 2019.**

P.C. :

1. Heard learned Counsel for the parties.
2. Though the Respondent is duly served, no one appeared on behalf of her when the matter was called out.
3. By this Civil Application, the Applicant/husband is seeking stay of the Judgment and Decree dated 15/04/2017 passed by Family Court Pune, in Petition No.A-850/14 allowing the Respondent/Wife's Petition for Restitution of Conjugal Rights, under section 9 of Hindu Marriage Act, 1955.

4. Learned Counsel for the Applicant submits that this Court vide order dated 30/10/2017 already granted Ad-interim relief in terms of prayer clause (b). He submitted that, pending the hearing and final disposal of First Appeal, this Hon'ble Court be pleased to continue the Ad-interim order passed by this Court on 30/10/2017.

5. Considering the submissions made by the learned Counsel for the Applicant and earlier order dated 30/10/2017, we are satisfied that the Applicant has made out case for allowing the Civil Application. Hence following order:

ORDER

(a) Civil Application is allowed in terms of prayer clause (b), which reads thus;

“Pending hearing and final disposal of the present Family Court Appeal, this Hon'ble Court may be pleased to stay the effect, execution and

implementation and/or operation of the Judgment and Order dated 15/4/2017 passed by the Learned Judge, Family Court No.2, Pune in the Petition A No.850/2014.”

- (b) It is made clear that the stay granted by this Court is only in respect of the Petition filed by the Respondent/ wife for Restitution of Conjugal Rights u/s 9 of Hindu Marriage Act, 1955.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)