

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.268 OF 2016
IN
FAMILY COURT APPEAL NO.168 OF 2016

Bhavna Nikhil Kansara.] ... Applicant/Appellant

Versus

Nikhil Dhansukhlal Kansara.] ... Respondent

Mr. Mahesh Thorat for Applicant / Appellant.

Mr. Rajiv Chavan, Senior Advocate a/w Ms. Deepa Bajaj, Ms. Priyanka Chavan, Ms. Sumangala Yadav & Mr. Ravi Uikey I/b Ms. Deepa Bajaj for Respondent.

CORAM :- AKIL KURESHI &
SARANG V. KOTWAL, JJ.
DATE :- 27 MARCH, 2019

P. C. :-

1. This Civil Application is filed by the Appellant – wife seeking stay of the execution and implementation of the Judgment of the Family Court granting decree of divorce to the Respondent – husband. The Family Court had passed a decree on 30/06/2016. The Appeal was filed on or around 14/09/2016. Ex-parte order staying the decree was passed on 23/09/2016. In view of the fact that we

have admitted the Appeal against the decree of dissolution of marriage, we continue the stay granted by the Court under the said order dated 23/09/2016.

2. We take note of the contention of the learned Senior Advocate appearing for the Respondent that the *ex-parte* interim order dated 23/09/2016 passed by this Court was not served on the husband for a long time and that in the meantime, he has remarried on 14/12/2016. The effect of filing of the Appeal and granting of the stay on such marriage, need not be gone into by us at this stage.

3. Civil Application is disposed of.

(SARANG V. KOTWAL, J.)

(AKIL KURESHI, J.)