

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO.49 OF 2019

ALONG WITH

CIVIL APPLICATION NO.28 OF 2019

IN

FAMILY COURT APPEAL NO.49 OF 2019

Mr. Dhanji Chapsi Nisar.] ... Appellant /
Applicant

Versus

Mrs. Meena Dhanji Nisar.] ... Respondent

Mrs. Anu Ravi Khanna for Appellant / Applicant.

Smt. Jaymala Ostwal a/w Smt. Komal Gosavi i/b M/s. J.J. Associates
for Respondent.

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

DATE :- **01 MARCH, 2019**

P. C. :-

1. Learned Counsel for the Appellant / Applicant filed a
pursis to the following effect :

*“The Appellant be permitted to withdraw the aforesaid
FCA, seeks liberty to challenge the Judgment & Decree
dated 31.01.2018, before the Hon'ble Trial Court, as the
marriage is a nullity, the Respondent having played
fraud upon the Petitioner, “part settlement” / “partial
consent terms to dissolve the marriage” judgement, by
mutual consent, being not acceptable.”*

2. In view of the above, Family Court Appeal is permitted to withdraw with liberty as sought for.
3. If any application is moved, the trial Court shall dispose of the same as expeditiously as possible.
4. In view of disposal of the Family Court Appeal, Civil Application does not survive and the same is also disposed of.

(SARANG V. KOTWAL, J.)

(INDRAJIT MAHANTY, J.)