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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9263 OF 2019**

Rakesh Mulchand Kothari Petitioner.
V/s
Mrs Sonu Rakesh Kothari and Anr. Respondents.
Mr. Ram Mani Upadhyay for the Petitioner.

CORAM: NITIN W. SAMBRE, J.

DATE: JANUARY 17, 2020

P.C.:-

- 1] The order impugned is dated 23/1/2019. Petitioner-husband is directed to serve Respondent-wife afresh.
- 2] The contentions are, order impugned is contrary to record, as based on bailiff's report dated 9/5/18, matter was to be proceeded ex parte against Respondent-wife. My attention is invited to the acknowledgment given by father of Respondent-wife about receipt of court's notice.
- 3] In my opinion, learned Family Court has rightly passed the impugned order calling upon Petitioner-husband to serve Respondent-

wife afresh as on the earlier occasion when the Family Court ordered notice to Respondent-wife, same claimed to have been served on father of Respondent-wife. Respondent-wife is major by age. That being so, Family Court was right in concluding that there was no sufficient service on Respondent-wife.

4] In the aforesaid backdrop, no case for interference in extraordinary jurisdiction is made out. Petition fails and the same stands dismissed.

(NITIN W. SAMBRE, J.)