

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3245/2021

Sneha w/o Abhishek Meshram

...Versus...

Abhishek s/o Dilip Meshram

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri C.B. Barve, Advocate for petitioner

CORAM : AVINASH G. GHAROTE, J.

DATE : 31/08/2021

1. Heard Shri Barve, learned Counsel for the petitioner.
2. The petition challenges the order dated 18/08/2021, passed by the learned Family Court, Nagpur on an application below Exh.24, whereby the petitioner has been directed to remove herself from the house of the parents of the respondent-husband within eight days from the date of the order and is further restrained from creating any unlawful act to the parents of the respondent-husband.
3. Shri Barve, learned Counsel for the petitioner submits that the petitioner has no other residence available

and therefore, she is entitled to reside in the house of the parents of the respondent-husband.

4. Bare perusal of the application, as filed by the present petitioner under Section 24 of the Hindu Marriage Act, dated 29/02/2020, indicates an averment in para 2 that the present petitioner was residing separately from the respondent-husband since June, 2019 at the address given in the cause-title of the application which is at her father's place. There is nothing on record to indicate as to how and in what manner, the petitioner has been permitted to gain access to the house of the parents of the respondent-husband, specifically when disputes are already going on. It has come on record that the respondent-husband is residing separately from his parents and the petitioner along with her sister, has literally barged into the house of the parents of the respondent-husband on 08/03/2021 and has started threatening. This is a position, which is necessary to be avoided. I, therefore, do not see any infirmity in the impugned order, as passed by the learned Family Court. Needless to say that in case the petitioner has any other grievance or any claim for a shared household, she would be entitled to pursue the same, as against the respondent-husband alone, who is residing separately from his parents, as the law permits.

5. The writ petition is therefore devoid of any merits and is accordingly dismissed. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar