

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 778 OF 2021

Dnyaneshwar Ramdas Shinde ..Petitioner

V/s.

Sujata Dnyaneshwar Shinde ..Respondent

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CHAVAN

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Ms. Neha Parte i/b S.M. Sabrad for the Petitioner.

Ms. N.P. Boraste i/b Girish Agrawal for the Respondent.

CORAM : C.V. BHADANG, J.

DATE : 28 JULY 2022

P.C.

1. The challenge in this petition at the instance of the Petitioner-husband is to the order dated 17.07.2020 passed by the learned Additional Chief Judicial Magistrate, Niphad in Hindu Marriage Petition No. 325 of 2018. By the impugned order, the learned Chief Judicial Magistrate has granted an interim maintenance and expenditure of the proceedings at the rate of Rs.2,000/- per month to the Respondent-wife from the date of the application.

2. Today the learned counsel for the Petitioner has tendered a copy of the judgment and decree dated 20.03.2022 passed by the learned Joint Civil Judge, Senior Division, Niphad in Marriage

Petition No. 156 of 2022 by which the marriage between the parties has been dissolved by the decree of divorce under Section 13B of the Hindu Marriage Act. The copy is taken on record and marked “X” for identification.

3. The learned counsel for the Petitioner in such circumstances states that the parties have amicably settled the dispute and therefore, has sought setting aside of the impugned order.

4. The learned counsel for the Respondent submits that in view of the fact that the marriage between the parties has been dissolved by Consent Decree, appropriate order may be passed.

5. In that view of the matter, petition is allowed. The impugned order is hereby set aside. There shall be no order as to costs.

C.V. BHADANG, J.