

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**FAMILY COURT APPEAL NO.7 OF 2023
WITH
CIVIL APPLICATION NO.1192 OF 2023
IN FCA/7/2023**

**ANJALI ATUL RAJPUT
VERSUS
ATUL ABHIJIT RAJPUT**

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Advocate for the Appellant : Shri Patil Ujwal Subhash
Advocate for the Respondent : Shri Shaikh Naseem R.

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**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 19th August, 2023

Per Court :-

(a) Family Court Appeal No.7/2023:-

1. Heard the learned Advocates for the respective sides.
2. Since the Appellant/wife is aggrieved by the impugned judgment dated 02.01.2023 granting divorce to the Respondent/ husband, **the Appeal is admitted**. The appeal paper book shall be prepared within six months.
3. Though the mediation before this Court has failed,

the parties would be at liberty to pray for mediation, once again, only if they are serious in resolving the dispute.

4. In the event of any exigency, liberty to pray for an early hearing.

(b) **Civil Application No.1192/2023:-**

5. The learned Advocate for the Respondent/ husband has vehemently opposed the Civil Application, contending that there is no ground, which is worthy of consideration for granting any interim order. He further submits that the impugned judgment is based on cogent evidence and is a sound conclusion arrived at by the concerned Court.

6. The learned Advocate for the Appellant/ wife submits that the Respondent has still not got married after the impugned judgment has been delivered. The Appellant is trying to save her marriage. If the Respondent gets married, an irreparable harm, serious prejudice and manifest inconvenience, would be caused to the Appellant.

7. In view of the above, we direct both the litigating parties that they would not enter into a second marriage until the decision in the appeal.

8. **The Civil Application is, accordingly, disposed off.**

9. Needless to state, the order of maintenance to be paid by the husband to the wife, would continue to operate till the appeal is decided. In the event, the Appellant desires to seek enhancement in maintenance in the light of any increment or hike in the salary of the Respondent, liberty to apply.

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)