

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FAMILY COURT APPEAL NO. 11 OF 2022
WITH
CIVIL APPLICATION NO. 2463 OF 2022

Satyendra Shivram Jindam ... **Appellant**

VERSUS

Jayshree @ Puspha Satyendra Jindam ... **Respondent**

Mr. S. S. Bora, Advocate for the Appellant
Mr. S. B. Ghatol Patil, Advocate for the Respondent

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

DATE : 2nd August, 2023

ORDER:

1. The learned counsel appearing for the appellant submits that the present appeal is filed by the appellant-husband challenging the judgment and order dated 04.02.2021 passed by the learned Family Court, Nanded in Petition-C No. 11/2017, whereby the appellant has been directed to pay Rs.10,000/- per month to the respondent/ wife towards her maintenance, however, during the pendency of the appeal, the respondent wife died on 13.05.2023, therefore, no cause of action survives. Hence, prayed for dismissal of the appeal.

2. Since the respondent/wife was granted monthly maintenance of Rs.10,000/- under section 18 of the Hindu Adoption and Maintenance

Act, 1956 by the learned Family Court and during pendency of the present appeal the respondent wife died, the appellant does not wish to pursue the appeal. Therefore, present appeal is disposed off as no cause of action survives. Accordingly, pending civil application stands disposed off.

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

JPChavan