

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

**CIVIL APPLICATION (REVIEW) NO.4 OF 2023
IN
WRIT PETITION NO.417 OF 2022**

Prawin Pawaskar ... Applicant
Versus
Pragati Pawaskar @ Priya Pawaskar ...Respondent

Mr Vilas P. Thali with **Mr Rajdeep Prabhugaonkar,**
Advocate for the Applicant.

CORAM: M. S. KARNIK, J

DATED: 15th MARCH 2023

P.C.

1. Heard learned counsel for the applicant-husband.
2. The applicant is seeking modification/erasing of some portions of paragraph 4, 5 and 6 of the order dated 06.02.2023 passed by this Court. The applicant-husband had approached this Court by way of writ petition No.417 of 2022 for permitting his written statement to be taken on record. By an order dated 29.11.2022 this Court had disposed of the petition by directing the petitioner's written statement to be taken on record subject to payment of costs of ₹25,000/-. Having disposed of the petition, this Court was of the opinion, considering the peculiar facts of the case, that an attempt for settlement could be made. The settlement, however, could not be arrived at. This Court vide order dated 06.02.2023 in paragraphs 4, 5 and 6 has indicated that prima facie, the conduct of the petitioner is only to harass the respondent-wife. Learned counsel for the applicant

submitted that such observations would influence the trial Court when the matter is adjudicated.

3. In my opinion, the petitioner has no reason to apprehend that the trial Court will be influenced by the observations made in the order dated 06.02.2023. This Court had already disposed of the writ petition on 29.11.2022 and the written statement was directed to be taken on record. It was only with a view to arrive at a settlement considering the peculiar facts that this Court had appointed a mediator. Settlement could not be arrived at. While removing the matter from the board, the Court had made some observations as regards the settlement not materializing. This has nothing to do with the merits of the trial as these observations are made for the purpose of recording that the settlement could not come through. Obviously, the trial Court will proceed with the trial uninfluenced by whatever is observed in the order dated 06.02.2023.

4. The trial Court to proceed with the matter on its own merits and in accordance with law.

5. The review application is disposed of.

M. S. KARNIK, J

MARIA SUZANA
REBELLO

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SUZANA REBELLO
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