

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4906 OF 2022**

Rekha Nigam	]	Petitioner
Vs.		
Hari Om Nigam	]	Respondent

.....

Ms. Gayatri N. Gokhale, for Petitioner.

Mr. Hemal Ganatra, Rushda Patel i/b Ms. Usha Tanna & Associates,
for Respondent.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 17th March, 2023.

P.C.

1. Family Court, Bandra, Mumbai by the impugned order dated 28th February, 2022 passed below Exhibit 42, partly allowed the application of the petitioner permitting her to examine only two witnesses out of 7, which the petitioner intended to examine, in order to prove her case.

2. Heard learned Counsel for the parties.

3. Learned Counsel for the petitioner, on instructions, submits that out of 7 at least 5 witnesses be permitted to examine in the

interest of justice and they would be the best persons to depose about cruelty meted out to the petitioner by her husband, who is aged about 80 years.

4. As such, impugned order dated 28th February, 2022 stands modified. The Family Court to allow the petitioner to examine 5 witnesses. The petitioner shall not seek unnecessary adjournments and shall examine all the five witnesses within a week from appearance of the parties before the said Court.

5. The petition shall stand disposed of in the aforesaid terms.

[PRITHVIRAJ K. CHAVAN, J.]