

Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.382 OF 2022

Nirmala Subhash Sharma	... Applicant
V/s.	
Subhash Mahesh Sharma	... Respondent

Ms. K.H. Rajani for the applicant.

Mr. Sushil S. Upadhaya i/b A.M. Sarogi for the respondent.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 20, 2023

P.C.:

1. The applicant is challenging the order dated 13th July, 2022 passed below Exhibit-25 in the M.J. Petition No.238 of 2018. By said application under Order VII, Rule 11(D) r/w Order XI Rule 9 of the Code of Civil Procedure, 2018. The applicant raised issue of maintainability of the petition filed by the husband. The application came to be rejected by the impugned order. The applicant has filed present Civil Revision Application.

2. It is informed that the learned Family Court, Thane has already framed issue of maintainability of the petition. The said issue is treated as preliminary issue.

3. In that view of the matter, the Civil Revision Application is disposed of by directing the Family Court, Thane to decide the

maintainability of the petition as preliminary a issue.

4. The Civil Revision Application stands disposed of.

(AMIT BORKAR, J.)