

Uday S. Jagtap

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

CIVIL REVISION APPLICATION NO.264 OF 2023

Nirmala Subhash Sharma .. Applicant

Vs.

Subhash Mahesh Sharma .. Respondent

.....
Mr. Ashok M. Sarogi for the applicant
Ms. Krupali Rajani for the respondent
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 16th JUNE, 2023

P.C.

1. Heard learned Counsel for the applicant.
2. Learned Counsel for the applicant has invited my attention to the impugned order passed below Exh. 25 by the Family Court, Thane on 25th April, 2023. The Court had already decided the application below Exh.25 by passing an order on 13th April, 2022.
3. When a query was made as to whether attention of the learned Judge of the Family Court, Thane was invited to the order

passed on 13th April, 2022 below the same Exhibit, it is submitted that despite bringing the said fact to the notice of the Court, speaking order came to be passed. This is quite strange.

4. The application can be disposed of by the following order :-

ORDER

(i) *Ex-facie*, the impugned order dated 25.04.2023 passed below Exh.25 is bad-in-law and, therefore, it needs to be quashed and set aside. As such, the impugned order is quashed and set aside.

(ii) The matter is remanded to the Family Court, Thane. The learned Judge, Family Court, Thane shall be careful in passing the orders of such nature.

(iii) The parties shall appear before the learned Judge of the Family Court, Thane on 21st June, 2023.

5. The Civil Revision Application is disposed of in the above terms.

(PRITHVIRAJ K. CHAVAN, J.)