

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 4415 of 2019**

With
CIVIL APPLICATION (FOR FIXING DATE OF HEARING) NO. 1 of 2024
In R/FIRST APPEAL NO. 4415 of 2019

With
R/FIRST APPEAL NO. 2610 of 2010

=====

MANISHBHAI JIVABHAI GOYANI

Versus

RINABEN MANISHBHAI GOYANI

=====

Appearance:

MS VAIBHAVI RAVAL FOR MR VIRAL V DAVE(3846) for the Appellant(s)
No. 1

MS HINA DESAI(1023) for the Defendant(s) No. 1

=====

CORAM: HONOURABLE MR. JUSTICE BIREN VAISHNAV

and

HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 05/02/2024

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE BIREN VAISHNAV)

CIVIL APPLICATION NO.1 of 2024:

The Civil Application for fixing date of hearing is allowed.
The main matter is taken up for hearing.

FIRST APPEAL No.4415 of 2019:

1. The appellant – Manishbhai Jivabhai Goyani has challenged the judgment and order dated 29.07.2019 passed by the Family Court, Surat, by which the application of the wife – Rinaben Manishbhai Goyani, seeking divorce under Section 13(1)(i-a) of the Hindu Marriage Act, was granted and the marriage as per the order of the trial Court was declared to be dissolved from the date

of judgment.

2. Ms. Vaibhavi Raval, learned advocate for Mr. Viral Dave, learned advocate appearing for the appellant states that during the pendency of the appeal, the original applicant before the Family Court and the respondent herein has already married.

3. Ms. Hina Desai, learned advocate for the respondent – wife confirms the fact that the respondent in this appeal having already married subsequent to the decree of divorce.

4. In light of subsequent development post the judgment of the Family Court, the issue in the appeal has become academic and hence, the appeal stands disposed of as having become infructuous. Notice is discharged. R & P, if received, be sent back to the concerned trial Court forthwith.

(BIREN VAISHNAV, J)

(NISHA M. THAKORE, J)

Y.N. VYAS