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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
SECOND APPEAL NO. 577 OF 2019**

Arvind Dinkar Bhat ... Appellant  
vs.  
Sou. Sunita Arvind Bhat ... Respondent

**WITH  
INTERIM APPLICATION NO. 552 OF 2019  
IN  
SECOND APPEAL NO. 577 OF 2019**

Sunita Arvind Bhat ... Appellant  
vs.  
Arvind Dinkar Bhat ... Respondent

Mr. Venkatesh A. Shastry, for Appellant.

Ms. Prapti Karkera i/b. Nitin Gangal, for Respondent.

**CORAM : GAURI GODSE, J.**

**DATED : 27<sup>th</sup> SEPTEMBER 2024**

**ORDER:**

1. Heard learned counsel for the parties. Second Appeal is admitted on the following substantial questions of law:

I) Whether the findings recorded in the impugned Judgments that the Appellant failed to prove that the

Respondent-wife deserted him without any sufficient reason, are perverse on the background of the failure of the Respondent-wife to establish the sufficient reasons to desert the Appellant husband?

2. Mr. Karkera, waives notice on behalf of the sole Respondent.
3. Call for records and proceedings.
4. Printing is dispensed with.
5. The learned advocate for the appellant shall file private paper-book within a period of one year from today.

**INTERIM APPLICATION NO.1 OF 2019**

6. This application is filed by the respondent-wife to seek necessary direction to attach the salary of the husband for recovering the amount of maintenance passed in independent proceedings. Second Appeal arises out of the dismissal of the husband's petition for divorce. Hence, the application filed in the nature of recovery proceedings pursuant to the order passed in independent proceedings initiated under Section 25 of the Hindu Adoption and Maintenance Act is not maintainable. Hence, the application is dismissed.

7. The applicant-wife is at liberty to initiate appropriate

proceedings for recovering the amount of maintenance.

8. It is clarified that the dismissal of this application will not affect the contentions of the applicant's wife to recover the arrears of maintenance if any.

**(GAURI GODSE, J.)**