



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9024 OF 2022

Shri. Dileep Govind Pingale

...Petitioner.

Versus

Mrs. Kalpana Dilip Pingale

...Respondent.

Mr. Amritpal Singh Khalsa for the petitioner.

Ms. Akshata Desai i/b Mr. Kamraj M. Mhatre for the respondent.

Coram : Sharmila U. Deshmukh, J.

Date : February 2, 2024.

P. C. :

1. Learned counsel for the parties have arrived at a consensus that in view of the fact that the mandate of ***Rajnesh v. Neha [(2021) 2 SCC 324]*** was not followed at the time of passing of impugned order dated 30th April 2022, the impugned order be quashed and set aside and the matter be remanded to the Court of Civil Judge, Senior Division, Bhiwandi.

2. In view of the consensus arrived at between the parties, the impugned order dated 30th April 2022 is hereby quashed and set aside. Application at Exhibit-35 in Matrimonial Petition No.119 of 2023 is restored to the file of trial Court. Parties are directed to file affidavits

of assets and disclosures as directed by the Apex Court in the case of ***Rajnish v. Neha (supra)***. The trial Court is requested to decide the application at Exhibit-35 after the affidavits are filed by both the parties and after granting an opportunity to the parties.

3. It is made clear that this Court has not gone into merits of the matter and all rights and contentions of both the parties are kept open.

4. Writ petition stands disposed of.

[Sharmila U. Deshmukh, J.]