

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3528 OF 2024

Bilquees Aslam Sayyad

...Petitioner

Versus

Pramod Baburao Patil & Ors

...Respondents

Mr Aarif Ali Mali, for the Petitioner.

Mr Jayant Bardeskar, for Respondent No. 1.

Mr AS Gavai, APP, for Respondent No. 2.

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SANJAY
MORMARE

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CORAM.

ARIF S. DOCTOR, J

DATED.

26th November 2024

PC:-

1. Today, Learned Counsel for Respondent No. 1 tendered a translated copy of the order dated 20th January 2021 passed in Regular Civil Suit No. 128 of 2020. It is his submission that vide this order, possession of the flat in question has been directed to be handed over to Respondent No. 1. It is his contention that the proceedings filed by the Petitioner (Wife) under the provisions of Protection of Women from Domestic Violence At 2005 ("**DV Act**") were in fact a subterfuge to defeat the order of possession since the same was filed after the order of possession. He submits that Respondent No. 1 is not a party under Section 2 of the DV Act and cannot be made a party under the Act.

2. At the request of the Learned Counsel for the 1st Respondent (Landlord) and to enable him to file an Affidavit in Reply, translated copies as also compilation of relevant documents that have been filed before the Trial Court, list the matter on 10th December 2024 high on board.

(ARIF S. DOCTOR, J)