

varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11887 OF 2024**

Vijay Ramvilas Sharma ... Petitioner
vs.
Seema Vijay Sharma ... Respondent

Mr. Aditya Thorat a/w. Mr. Vaibhav D. Kadam a/w. Mr. Shrinath
Badade, Mr. Kalpesh Karkera, for Petitioner.

**CORAM : GAURI GODSE, J.
DATED : 28th AUGUST 2024**

ORDER:

1. This petition takes exception to the order passed by the Family Court directing the petitioner-husband to pay travelling expenses to the wife to attend proceedings initiated by the husband at Family Court, Bandra.
2. Learned counsel for the petitioner submits that the petitioner has filed the petition for decree of divorce on the grounds of adultery. He relied upon a letter dated 30th July 2023 annexed at exhibit-D to the petition to submit that the respondent has remarried. He therefore submits that the respondent is not entitled to the order of travelling expense as passed by the impugned order.

3. I have perused the papers. The contentions raised on behalf of the petitioner to object to the impugned order are on the ground that there is an allegation of adultery against the respondent. The petition is still pending before the Family Court. The allegations cannot be considered as a ground for not making payment towards travelling expenses. Admittedly, the respondent is residing with two minor children at Mathura. Considering that the respondent is residing in Mathura, the Family Court found it fit to grant the amount for travel expenses for her to attend the case from the date of her first appearance till disposal of the main petition.

4. I do not find any illegality or infirmity in the reasons recorded in the impugned order. Petition is devoid of any merits. This is not a fit case to exercise powers under Article 227 of the Constitution of India. Hence, the Writ Petition is dismissed.

(GAURI GODSE, J.)