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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 251 OF 2024

Akshara Rajkumar Sale

.. Applicant

Versus

Rajkumar Shivaji Sale

.. Respondent

.....

- Mr. Rahul Khot h/f. Mr. Sachin Bhavar – Advocate for Applicant.
- Ms. Pooja C. Chavan a/w. Mr. Kailashchandra G. Nailwal – Advocates for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 3, 2024

P. C.:

1. I have heard learned Advocate for Applicant - wife and the learned Advocate for Respondent – husband at length. I am not delineating with the facts which are argued by both the learned Advocates, save and except that while hearing them it is gathered that Respondent – husband has issued a notice to the Applicant – wife asking her to return and reside with him in their matrimonial home. Since the wife herself has filed Application under Section 9 of the Hindu Marriage Act seeking restitution of conjugal rights, the parties can come together and reside.

2. Hence without dealing with any other differences of opinion between the parties which are evident after hearing the learned Advocates for the parties, I am of the opinion that if parties take a

positive step for reconciliation of their marriage and come and stay together, it would enure to the benefit of both parties and accordingly this Court can be apprised of what has transpired in the interregnum so that appropriate order can be passed by asking the parties to file appropriate terms.

3. Two reasons have persuaded me to pass the above directions -
(i) that both parties are blessed with one son who is six years old and
(ii) there are several other proceedings which are extremely detrimental and pre-judicial to either of the parties and also to the members of the families in various Courts and Forums. In that view of the matter without prejudice to the rights and contentions of the parties, if both the parties can agree reconciliation together and stay together, they can adopt such a resolution and inform the Court accordingly.

4. Stand over to 11th October 2024.

5. In the meanwhile ad-interim relief granted earlier to continue.

[MILIND N. JADHAV, J.]

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