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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**INTERIM APPLICATION NO.7586 OF 2024**  
**IN**  
**FAMILY COURT APPEAL NO.55 OF 2024**

Shipra Aditya Jain

.. Applicant

**Versus**

Aditya Jaykumar Jain

.. Respondent

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**Mr.Swapnil Telang**, Advocate for the Applicant-Wife.

**Mr.Mankishan Guha**, Advocate for Respondent-Husband.

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**CORAM :B. P. COLABAWALLA &**  
**FIRDOSH P. POONIWALLA, JJ.**  
**DATE : JULY 12, 2024**

**P. C.**

**1.** The above Interim Application is filed *inter alia* seeking a stay to the effect, operation and implementation of the impugned judgment and decree dated 8<sup>th</sup> February 2024 passed by the learned 4<sup>th</sup> Family Court, Mumbai in Petition No.A-1239/2019. By the impugned judgment and decree, and which is challenged in the above Family Court Appeal, the Family Court granted a divorce to the Respondent-Husband on the grounds of cruelty under Section 13 (1) (ia) of the Hindu Marriage Act, 1955.

**2.** The Respondent has filed an affidavit-in-reply opposing the grant of interim relief as sought in the above Interim Application. However, on instructions, the learned Counsel appearing on behalf of the Respondent-husband, stated that the Respondent-Husband has not remarried and has no intention to remarry. We accept this statement as an undertaking given to the Court.

**3.** Once this is the statement made, we do not see any reason to stay the operation of the impugned judgment and decree. The Interim Application is accordingly disposed of by accepting the statement made on behalf of the Respondent-Husband as an undertaking given to the Court. However, there shall be no order as to costs.

**4.** This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[FIRDOSH P. POONIWALLA, J.]**

**[B. P. COLABAWALLA, J.]**