

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.8591 OF 2024
IN
FAMILY COURT APPEAL NO.77 OF 2024

Dr.Ashok Balasubramanian .. Applicant

In the matter between:-

Dr.Ashok Balasubramanian .. Appellant

Versus

Natasha Ashok Sabnis .. Respondent

WITH

FAMILY COURT APPEAL NO.77 OF 2024

Dr.Ashok Balasubramanian .. Appellant

Versus

Natasha Ashok Sabnis .. Respondent

Mr.Premalal Krishnan a/w Nadeem Shama, Prashant Bothre, hrishikesh Nadkarni i/b PAN India Legal Services LLP, Advocates for the Applicant.

Mr.Y.K.Kapur a/w Bhushan Kapur, Sushma S. Kulkarni, Geeta Gaud, Advocates for Respondent.

CORAM :B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE : JULY 19, 2024

P. C.

1. At the outset the learned advocate appearing on behalf of the Respondent took an objection that the above Family Court Appeal is not maintainable in the light of the provisions of Section 19 of the Family Courts Act, 1984. The learned advocate for the Respondent submitted that the order impugned in the above Appeal is passed in an Interim Application filed before the Family Court seeking an anti-suit injunction. This relief was rejected by the Family Court. This being a interlocutory order, no appeal lies from the said order under Section 19 of the Family Courts Act, 1984, was the submission.

2. Faced with this argument the learned counsel appearing on behalf of the Appellant sought leave to withdraw the above Appeal with liberty to challenge the said order by filing a Writ Petition before the learned Single Judge of this Court.

3. In these circumstances, the above Family Court Appeal is dismissed as withdrawn with liberty as prayed.

4. We may hasten to add that we have not opined on the merits of the matter one way or the other and which shall be decided by the learned Single Judge, if and when approached.

5. In view of the disposal of the Appeal nothing survives in the above Interim Application and the same is disposed of accordingly.

6. 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.]