



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO.468/2024

IN

FAMILY COURT APPEAL STAMP NO.1031/2024

(Nawal S/o Gowardhan Atram Vs. Pradnya @ Sejal Nawal Atram)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. K.E. Meshram, Counsel h/f Mr. I. S. Charlewar, Counsel for the
applicant.

Mr. S.M. Vaishnav, Counsel for the non-applicant.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 10.4.2024.

Heard.

2. Considering the quantum of delay and reasons
stated for the same delay stands condoned. Application is
disposed.

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3. The applicant husband seeking to stay the
execution of impugned order passed by the Family Court
dated 9.10.2023.

4. The applicant husband has applied for decree of
divorce whilst non-applicant wife has applied for
restitution of conjugal rights. The learned Family Judge
vide impugned common judgment declined to grant decree
of divorce, however, passed a decree of restitution of
conjugal rights. The Family court has directed that if the
husband fails to comply the order of restitution he should
go on paying Rs.30,000/- per month to the wife and
children towards maintenance and non-compliance. It is
brought to our notice that during the pendency of the

petition there was an interim order of maintenance running against the husband.

5. While seeking stay the appellant expressed his willingness to clear all the arrears. Since the husband is ready to pay we have no difficulty in partially staying the interim order.

6. In view of the above, impugned order to the extent of decree of restitution and periodical payment is stayed subject to applicant's clearing entire arrears till date and going on paying further sum of Rs.25,000/- per month till further orders of this Court. The arrears shall be cleared within two months from today.

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7. Heard.

8. Issue notice to the respondent.

9. Mr. S.M. Vaishnav, learned Counsel waives notice for the non-applicant.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)