



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

WRIT PETITION NO. 6763 OF 2022

Miss. Meenal Smith Vishnoi
Vs.
Amit s/o Subhash Vishnoi

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. C.R. Sharma, Advocate for petitioner.
Mr. A.S. Thotange, Advocate for respondent.

CORAM : N.R. BORKAR, J.

DATE : 04.09.2024.

This petition takes exception to the order dated 19.10.2022 passed by the learned District Judge-3, Nagpur below Exhibit 16 in Special Marriage Petition No.8/2020.

2. The respondent-husband has filed the petition under Section 27 of the Special Marriage Act for divorce against the petitioner-wife. By the order impugned, the trial Court has rejected the application filed by the petitioner-wife taking exception to the maintainability of petition under the provisions of Special Marriage Act.

3. The learned counsel for the respondent, on instructions, submits that in view of objection to the maintainability of petition, the respondent be permitted to withdraw the petition in question for divorce and liberty be granted to file fresh petition under the provisions of Indian Divorce Act.

4. The learned counsel for the petitioner has no objection, if such liberty is granted. The respondent shall file the application/pursis to that effect before the trial Court.

5. In view of the above, nothing survives in the present petition. The petition is disposed of accordingly.

(N.R. BORKAR, J.)