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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**936 FAMILY COURT APPEAL NO. 15 OF 2025  
WITH  
CIVIL APPLICATION NO. 2264 OF 2025  
IN FCA/15/2025**

**PRAKASH MARIBA SONKAMBLE  
VERSUS  
BABITA PRAKASH SONKAMBLE**

...  
Advocate for Appellant : Mr. Banik Rajdeep S.

...

**CORAM : R. G. AVACHAT  
AND  
PRAFULLA S. KHUBALKAR, JJ.**

**DATE : 21<sup>st</sup> March, 2025**

**PER COURT:**

1. Heard learned counsel for the respondent / husband.
2. This is an appeal challenging the judgment and decree dated 27.09.2024 passed by the Family Court, Parbhani, in Petition A No. 63/2020. By the impugned judgment and order, the Family Court has declared that the marriage of petitioner with the respondent is null and void.
3. We have heard the learned counsel and perused the impugned judgment and order.
4. Perusal of the record shows that the first wife of the appellant (husband) was living with him on 05.03.1998 which is the

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date of marriage of appellant and respondent and they were having children from the wedlock. It is clear that since the first wife of the appellant (Chandrakabai) was residing with him, in view of Section 5(1) of Hindu Marriage Act, the marriage is rightly declared as void and the respondent was entitled for decree of nullity under Section 11 of the Hindu Marriage Act.

5. We find no perversity in the impugned judgment and order. The appeal deserves to be dismissed at the threshold. Hence, the same is dismissed. No order as to costs.

6. Civil Application for stay is also disposed of.

**(PRAFULLA S. KHUBALKAR, J.)**

**(R. G. AVACHAT, J.)**

spc