

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9259 OF 2024

Rajkumar Ramgonda Rakamaji

...Petitioner

Versus

Drakshyani Rajkumar Rakamaji

...Respondent

Ms. Gauri Bhagwan Govande, for the Petitioner.

Ms. Shivani A. Halwai, for the Respondent.

Mr. Rajkumar Rakamaji, present in-person.

CORAM: MADHAV J. JAMDAR, J.

DATED: 06 FEBRUARY 2025

P.C.:

1. In this Writ Petition filed under Article 227 of the Constitution of India the challenge is to the legality and validity of the Order dated 15th May 2024 passed by the learned Judge, Family Court, Sangali below Exhibit-77 and Exhibit-79 in Marriage Petition No.27/ 2022. The said Application bearing Exhibit-77 and Exhibit-79 has been filed to set aside the 'No Cross Order'.

2. The Petitioner has filed affidavit dated 6th February 2025 undertaking that he will proceed with the matter before the learned Family Court, Sangali without asking any unnecessary adjournments and will proceed with the matter without any further delay. It has also been stated in the said affidavit that entire arrears of maintenance have been paid.

3. Accordingly, in the facts and circumstances of this case and in the

interest of justice impugned Order dated 15th May 2024 passed by the learned Judge, Family Court, Sangali below Exhibit-77 and 79 in Marriage Petition No.27/2022 are quashed and set aside and the said Applications bearing Exhibit-77 and Exhibit-79 filed in Marriage Petition No.27 of 2022 are allowed.

4. It is clarified that this Order is passed by accepting the undertaking given by the Petitioner that he will proceed with the matter without any further delay. It is clarified that if the concerned learned Judge of the Family Court finds that the Petitioner is not complying with the undertaking given to this Court, then the learned Judge, Family Court, Sangali, to pass appropriate Order in accordance with law.

5. Accordingly, the Writ Petition is allowed in above terms with no Order as to costs.

[MADHAV J. JAMDAR, J.]