

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5614 OF 2024

Priti Gautam Patel

...Petitioner

Versus

Gautam Madan Patel

...Respondent

Mr. Vedchetan Patil a/w Sunayana Kashid, Delzeen Dastoor, Parth Munde, Parul Vedak, Bhoomi Vishwakarma & Prachi Kamble i/b Parul Vedak & Associates, for the Petitioner.

Mr. Hitesh Vyas a/w Chandrashekhar Yadav, Rasik Raut & Vivek Busa, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED: 10 SEPTEMBER 2025

P.C.:

1. Heard Mr. Vedchetan Patil, learned Counsel appearing for the Petitioner and Mr. Hitesh Vyas, learned Counsel appearing for the Respondent.

2. It is the main submission of Mr. Vedchetan Patil, learned Counsel appearing for the Petitioner that many aspects have not been taken into consideration by the learned Family Court, Mumbai.

3. In view of the said contention raised by learned Counsel appearing for the Petitioner, Mr. Hitesh Vyas, learned Counsel appearing for the Respondent, on instructions of the Respondent, states that he has no objection if the impugned Order is quashed and set aside. He

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further states that some of the contentions of the Respondent are also not taken into consideration.

4. Accordingly, by consent of the parties, following Order is passed :-

- i. The Order dated 9th January 2024 passed by the learned Judge, 7th Family Court, Mumbai below Exhibit-19 in Interim Application No.41 of 2021 in Petition No. C-98 of 2016 is quashed and set aside.
- ii. The said Interim Application No.41 of 2021 in Petition No. C-98 of 2016 is restored to the file of the learned Family Court, Mumbai.
- iii. The concerned learned Judge, Family Court, Mumbai is requested to dispose the said Interim Application No.41 of 2021 in Petition No. C-98 of 2016 within a period of 6 months from today.
- iv. Both the parties shall cooperate with the learned learned Judge, Family Court, Mumbai for disposal of the said Interim Application, expeditiously.

5. It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.

6. The Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]