

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.11074 OF 2024**

Heena Samnam Patni (Achhwa)

....Petitioner

V/S

Noorjaha Achhwa & Ors.

....Respondents

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**Ms. Vaishnavi Nagargoje** i/b Ms. Preeti Walimbe *for the Petitioners.*

**Mr. Ghanshyam Mishra** a/w Ms. Ekta Bhalerao and Ms. Ekta Mistry *for Respondent No.1.*

**Ms. Vaishali S. Nimbalkar, AGP** *for Respondent No.2 / State.*

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**CORAM: SANDEEP V. MARNE, J.  
DATE : 08 MAY 2025.**

**P.C.:**

1. When the Petition was called out on 7 May 2025, following order was passed:

“1) The learned counsel appearing for Respondent No.1 submits that the Petitioner has already handed over the possession of the flat in question. He relies on letter submitted to Senior Inspector of Police, Bandra Police Station on 4 October 2024 indicating therein that the Petitioner has vacated the flat on 25 September 2024 alongwith her entire belongings. The application is accompanied by photographs showing vacation of flat by the Petitioner. He would place reliance on School Leaving Certificate by which the daughter of the Petitioner has left the school in Bandra. He would submit that the Petitioner has travelled to Singapore in connection with job and no longer resides in the flat in question. That Respondent No.1 has secured possession of the flat.

- 2) Ms. Walimbe, the learned counsel appearing for Petitioner seeks time to take instructions.
- 3) List the Petition on 8 May 2025.”

2. The learned counsel appearing for Petitioner confirms the position that the Petitioner has travelled outside India. She would however submit that the exact information about the purpose for the travel is not known to her.

3. The learned counsel appearing for Respondent No.1 is however emphatic that Petitioner no longer resides in the flat in question and has shifted for job at Singapore. In view of the fact that Petitioner no longer resides in the flat, nothing further deserves to be adjudicated in the present Petition. All contentions of parties on merits are expressly kept open to be decided in matrimonial and domestic violence proceedings. The Petition is accordingly **disposed of**.

**(SANDEEP V. MARNE, J.)**

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