

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

WRIT PETITION NO.4413 OF 2025

Poonam Jaidev Shroff

.... Petitioner

Versus

Jaidev Rajnikant Shroff

.... Respondent

.....

Ms.Anisha Nair and Mr.Udit Mehta i/b. M/s. Naik Naik & Co.,
Advocate for the Petitioner.

Mr.Rohan Marathe, Ms.Siddhi Doshi i/b. M/s.ALMT Legal Advocate
for Respondent.

.....
CORAM : MANJUSHA DESHPANDE, J.

DATED : 11.07.2025.

P.C. :

1. Not on Board. Mentioned. Taken on Board.
2. A *praecipe* is moved for the Speaking to the Minutes of the judgment and order dated 04.07.2025. The following changes needs to be carried out in the order dated 04.07.2025:

(i) Paragraph 2 of the order dated 04.07.2025 be replaced and substituted as under:

“The Petitioner assails the order dated 31st January 2025 passed below Exhibit-225 by the

Rajeshri Aher

Judge, Family Court No.7 at Bandra, Mumbai, in Petition No.A-2742 of 2015. By way of the Application (below Exhibit-225) filed under Section 18 of the Hindu Adoption and Maintenance Act, 1956 (for short “the HAMA, 1956”), the Petitioner-wife herein has prayed for clubbing of her petition for maintenance being Petition No.AC-26 of 2023 filed under Section 18 of the Hindu Adoption and Maintenance Act, 1956 (for short “the HAMA, 1956”), with the Petition No.A-2742 of 2015 filed by the Respondent-husband herein for divorce under Section 27 of the Special Marriage Act, 1954 (for short, “the SMA, 1954”).;

- (ii) 2nd line on page 4 in sub paragraph (x) of paragraph no.5 of the order dated 04.07.2025, the following word “**issues**” be substituted with the word, “**issue**”;
- (iii) 3rd line on page 4 in sub paragraph (x) of paragraph no.5 of the order dated 04.07.2025, the following words be deleted, “**of permanent alimony**”;
- (iv) Sub paragraph (xii) of paragraph 5 of the order dated 04.07.2025, be substituted as under:

“(xii) The husband was cross – examined by the wife’s advocate on 09th October, 2023, 23rd

January, 2024, 24th January, 2024 and 18th March, 2024 to 21st March, 2024.”

(v) *Insert the following sub paragraph in paragraph 5 after subparagraph (xv) in the order dated 04.07.2025 :*

“(xvi) On 21.04.2025, additional issue regarding the claim of the Petitioner wife for permanent alimony was framed in the divorce petition as issue No.4A.”;

(vi) *5th line in paragraph no.7 of the order dated 04.07.2025, the word “HMA” be substituted with “SMA, 1954”;*

(vii) *The first two sentences in sub-paragraph 8 of the order dated 04.07.2025, be substituted as under:*

“ He further submits that, considering that an additional issue regarding permanent alimony is also framed vide order dated 21st April 2025 and that too forms part of the proceeding in the Special Marriage Petition for divorce, there would be a repetition of the evidence to be lead in both the proceedings.”

(viii) *The 1st and 2nd sentences in paragraph 18 of the order dated 04.07.2025, be deleted and substituted as under:*

“The Petitioner wife has filed her affidavit in lieu of examination-in-chief in the Petition for divorce

filed by the husband whereas in the Petition for maintenance under HAMA, 1956, the Petition has been filed in July 2023 and the same is now at the stage of filling of the written statement on behalf of the Respondent-husband.”

(ix) In sub paragraph 18 on page 16 of the order dated 04.07.2025, 4th and 5th sentences be merged which reads thus:

“This is a relief, which a Hindu wife is entitled to claim during the subsistence of marriage, and would be entitled to live separately from her husband without forfeiting her claim for maintenance, provided, she fulfills any of the conditions in Section 18, in sub-clause (a) to (f) of the HAMA.”

3. The judgment and order dated 04.07.2025 stands corrected to that extent only. Rest of the order remains unchanged. Necessary corrections be carried out in the order and judgment dated 04.07.2025 and upload the corrected order on the official Website.

4. *The praecipe dated 11.07.2025 stands disposed of.*

[MANJUSHA DESHPANDE, J.]