

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

***FAMILY COURT APPEAL (STAMP) NO.30597 OF 2025
WITH
INTERIM APPLICATION NO.12007 OF 2025
(STAY)
IN
FAMILY COURT APPEAL (STAMP) NO.30597 OF 2025***

Pallavi Balaji Pingale
Age 29, Occ: Housewife
R/o. Hanumant Sampath Sawant
Londhewadi, Tal:Madha
Dist: Solapur

...Appellant/Applicant

Versus

Ballaji Krishna Pingale
Age 32 years, Occ. Business
All R/o. I. V. Estate, I. V. Nia,
Building:H-3, Flat No.109, Wagholi, Haveli
District – Pune, Maharashtra

...Respondent

Mr. Rahul B. Vijaymane for the Appellant/Applicant

Mr. Shailesh Chavan for the Respondent.

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.***

DATE : 9th OCTOBER 2025

ORAL ORDER (Per Revati Mohite Dere, J.):

1. Heard learned counsel for the parties.
2. Rule. Rule is made returnable forthwith with the consent of the parties and is taken up for final disposal. Mr. Chavan waives notice on behalf of respondent.
- 3 By this appeal, the appellant has impugned the judgment and order dated 3rd May 2025 passed by the learned Judge, Family Court No.4, Pune, in P.A. No.1864 of 2023.
4. Admittedly, the said judgment and order is passed ex parte. The respondent herein had filed P.A. No.1864 of 2023 in the Family Court, Pune, seeking divorce on the ground of cruelty. It appears that since the appellant (respondent in P.A. No.1864 of 2023) failed to appear before the Family Court, an ex parte judgment and order as stated aforesaid came to be passed.

5. We have perused the impugned judgment and order dated 3rd May 2025 granting divorce to the respondent. Having perused the reasons, we find that there is absolutely no discussion why divorce has been granted to the respondent-husband on the ground of cruelty. The judgment and order is bereft of reasons. When the same was pointed out to the learned counsel for the respondent, he too fairly admits that there are no reasons given in the impugned judgment and order.

6. Hence, by consent of the parties, the impugned judgment and order dated 3rd May 2025 passed by the learned Judge, Family Court No.4, Pune, in P.A. No.1864 of 2023, is quashed and set aside and the matter is remitted back to the Family Court for fresh consideration. P.A. No.1864 of 2023 is restored back to its original file. The stage would be the stage granting permission to the appellant herein to file her written statement.

7. Learned counsel for the appellant states that the appellant will file her written statement within four weeks from the date of uploading of this order.

8. Rule is made absolute in the aforesaid terms. Appeal is allowed and disposed of.

9. We make it clear that, all contentions of all parties on merits are kept open.

10. In view of the disposal of the Family Court Appeal, nothing survives for consideration in Interim Application being Interim Application No. 12007 of 2025. The same is also disposed of accordingly.

All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.