



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**SECOND APPEAL NO.465 OF 2023**

Manish S/o Vasantryao Dabre .Vs. Sau. Trupti W/o Manish Dabre

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

Mr. D.V. Mahajan, Advocate for appellant.

Mr. Amruta Gupta, Advocate for respondent.

**CORAM : ROHIT W. JOSHI, J.**

**DATE : 19/09/2025**

1. The learned Advocate for the appellant states that the learned Civil Court did not have territorial jurisdiction to decide the suit for divorce filed by the respondent/wife. This is the only substantial question of law which arises for consideration according to him.

2. It is apparent from the reading of both the judgments that the suit is decided on merits by the learned trial Court after recording evidence led by both the sides. It is not the case of the appellant that any prejudice was caused to the appellant in contesting suit before the learned trial Court, although the Court may not have the territorial jurisdiction to decide the suit.

3. In this regard, it will be appropriate to refer to Section 21(1) of the Code of Civil Procedure, 1908, which provides that an objection to the territorial jurisdiction of a

Court cannot be raised before any Appellate or Revisional Court unless such objection is raised before the learned trial Court and there is a consequent failure of justice on account of lack of territorial jurisdiction. Since no prejudice was caused to the appellant in contesting the suit on merits on account of lack of territorial jurisdiction, the objection to decrees on account of lack of territorial jurisdiction is liable to be rejected.

4. In view of the above, no substantial question of law arises for consideration. Accordingly, the second appeal is **dismissed**.

(ROHIT W. JOSHI, J.)

*C.L. Dhakate*