

MHBU010003732023.



Regular Civil Appeal No.15/2023.

Vishal Rustamrao Deshmukh.

-Vrs.-

Sau. Mandakini Vishal Deshmukh.

ORDER BELOW EXHIBIT 22.

{Passed on 29.07.2025}

01. This is the application, filed by the respondent (wife) for permission to file the Certified copy of FIR and for its consideration in deciding this appeal. By filing this application, her anxiety is to bring on record that during pendency of appeal, Buddhamala alias Poonam Parshuram Aarakha lodged the report against this appellant, in Police Station, Chikhali. Accordingly on 08.02.2024, it registered the offence against him for the offences punishable U/s. 376, 504, 506 of the IPC and under provisions of the SC and ST Act. Moreover, in the said FIR, she referred to this appeal. Now, the investigation is complete and the trial is pending before the concerned Court. This way, it is required to file the FIR and to consider it while deciding the appeal. The appellant denied this application, as the respondent is trying to delay hearing of this appeal and it is devoid of merits. Heard.

02. Considering the rival submissions, at the outset, it is to be noted that the appellant preferred this appeal being aggrieved by the Judgment dtd. 25.11.2022, in HMP No. 213/2014, dismissing petition for divorce. Thus, the scope of this appeal is altogether different than the nature of document which the respondent is now trying to furnish. By filing this application, her only worry is to file copy of the said FIR, wherein the said informant referred to about this appeal. Needless to say that as the alleged incident took place after disposal of the original proceeding and during pendency of this appeal, this aspect of matter falls beyond scope of this appeal. Thus, by no stretch of imagination,

filing of this FIR would be having any bearing on merits or otherwise of the appeal. That apart, this application is silent as to how production of this FIR and prayer for its consideration, while deciding this appeal, is justified in view of the provisions of O. XLIII of the CPC 1908. Further, the record shows that the appellant filed his written notes (Exhibit 23) on merits of this appeal and this appeal is ready for final disposal on its merits. In this circumstances, this application requires to be discarded. Hence, this Order.

-: ORDER :-

01. The application (Exhibit 22) stands rejected.

Buldhana.

Dated : 29.07.2025.

{A.G.Santani}  
District Judge - 3,  
Buldhana.

### Certificate

“I affirm that the contents of this P.D.F file Order are same word for word as per original Order.

Name of the Steno	C. N. Mahale (Grade-I)
Name of the Court	District Judge-3, Buldana
Direct typed on	29/07/2025
Transcribed on	30/07/2025
Checked on	30/07/2025
Signed on	31/07/2025
Uploaded on	31/07/2025