

R.C.A. No.89/2024
CNR No.MHWR010012732024
Nandini Vs. Shankar
Order below Exh.5

(1) I heard learned advocate for the appellant. Perused impugned judgment and decree dated 10/07/2024 in HMP No.467/2021. The appellant has filed present appeal challenging the decree for divorce. The appellant has made out arguable case. The trial court has granted the decree for divorce on the ground of cruelty and desertion.

(2) The allegations about the cruelty are that the appellant threatened to implicate the respondent in false criminal case and refused to cohabit with him. In my view the correctness of the impugned judgment and decree will have to be tested on the basis of evidence. The first appeal is substantial. Therefore, it would be just and proper to grant stay to the decree of dissolution of the marriage.

Therefore, ad-interim stay is granted to effect and operation of decree dated 10/07/2024 in HMP No.467/2021 passed by Civil Judge, Senior Division, Wardha, dissolving the marriage between the appellant and the respondent.

Issue notice to the respondent to show cause why ad-interim stay should not be made absolute. Notice made returnable on 10/09/2024.

Date : 16/08/2024.

(N. B. Shinde)
District Judge-2,
Wardha.

CERTIFICATE

I affirm that the contents of this P.D.F. file are same word to word, as per the assigned order.

(S.R.Bire)
Stenographer (Grade-II)