

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 406 of 2026****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2026****In R/FIRST APPEAL NO. 406 of 2026****HARSHINI W/O SEHULBHAI MODI D/O RAJENDRAKUMAR
RANCHHODDAS****Versus****SEHULBHAI PRAVINCHANDRA MODI****Appearance:****MR ABID R PATHAN(11217) for the Appellant(s) No. 1****CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN****and****HONOURABLE MS. JUSTICE NISHA M. THAKORE****Date : 12/02/2026****ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)****Order in First Appeal:**

Mr Abid R. Pathan, learned advocate for the appellant submitted that the issue as regards desertion by the appellant, has been answered in affirmative, observing that the appellant has not taken any steps for restitution of conjugal rights and in her evidence, she has repeatedly admitted that she is not inclined to go there. It is further submitted that barring one sentence about her disinclination, there is no further statement, much less any repetition. Reason was the harassment by the respondent – husband. It is submitted that the notice was issued by the appellant resisting the harassment by the husband.

Considered the submissions. Issue notice to the respondent,

returnable on 16.03.2026.

Order in Civil Application:

Heard Mr Abid R. Pathan, learned advocate for the applicant.

Issue notice to the respondent, returnable on 16.03.2026.

By way of ad-interim relief, let there be stay of the impugned judgment dated 10.12.2025 passed in Family Suit no.33 of 2024 till the next date of hearing.

(SANGEETA K. VISHEN,J)

(NISHA M. THAKORE,J)

BINOY B PILLAI