

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/FIRST APPEAL NO. 4153 of 2025**

With

**CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/FIRST APPEAL NO. 4153 of 2025**

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PARMAR RAMILABEN W/O VIJAYKUMAR D/O DANABHAI PATHABHAI
MAKVANA

Versus

VIJAYKUMAR RAJANIKANT PARMAR

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Appearance:

MR NITINBHAI M DESAI(13406) for the Appellant(s) No. 1

MR.KIRIT R CHAUDHARI(3745) for the Appellant(s) No. 1

MS SHALINI S NAIR(2681) for the Defendant(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE ILESH J. VORA**
and

HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 21/08/2026

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE ILESH J. VORA)

Order in First Appeal

Admit. Ms.Shalini Nair, learned advocate waives service of notice of admission for the respondent.

Registry is directed to call for the records and proceedings from the concerned Court below in E-Mode.

Order in Civil Application

1. We have heard leaned advocates for the respective parties.
2. Ms. Shalini Nair, learned advocate appearing for the respondent-husband vehemently opposed for the grant of interim relief, *inter alia*, contending that, the parties have been living separately since long and

there has been a complete cessation of the cohabitation, rendering the marriage defunct for all practical and legal purposes. She would urge that, the appeal would take considerable time for its final adjudication and having regard to the evidence on record, the Family Court has not committed any error while granting divorce.

3. Having regard to the facts of the present case, the appellant-wife has challenged the decree of divorce and appeal is filed in a prescribed time limit and therefore, considering the provisions of Section 15 of The Hindu Marriage Act, if stay is not granted, then, the purpose of the appeal would be frustrated. In the present case, at the time of admission, interim relief, staying the implementation and execution of the impugned decree has been granted. Thus, pending the appeal, the interim relief granted stands confirmed.

4. The present application stands disposed of accordingly.

(ILESH J. VORA, J)

(R. T. VACHHANI, J)

Rakesh