

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 332 OF 2024

ANUSHKA ARUN SHELAR

..... APPLICANT

VERSUS

ARUN SHIVAJI SHELAR

..... RESPONDENT

Adv. Ajit D. Hon for the Applicant.

CORAM : RAJESH S. PATIL, J.

DATE : 14 NOVEMBER, 2025

P.C. :-

1) Mr.Hon, learned advocate appearing for the applicant-wife submits that when this Court issued notice on 26 July, 2024, an interim relief was sought in terms of prayer clause (c) in the present petition, however by typographical error in para no.2, it is mentioned as prayer clause (b). He further submits that though the proceeding was pending before this Court and stay was granted by this Court to the hearing of the Hindu Marriage Petition No. 74 of 2023 pending before the Civil Judge Senior Division, Sinner. The matter proceeded further and by judgment and order dated 1 August, 2025, the Hindu Marriage Petition No. 74 of 2023 for seeking divorce was disposed of by allowing the petition. In the said divorce proceedings filed by the husband, none appeared on behalf of the respondent-wife. He

submits that the wife is residing at Kopargaon and the divorce proceeding was pending before the Civil Judge Senior Division, Sinner. He further submits that the advocate appearing for the husband was aware that a stay was granted by this Court. However, he did not point out the said fact to the learned Judge of the Civil Judge Senior Division, Sinner who was hearing the marriage petition.

2) He further submits that an application for setting aside the judgment and decree passed on 1 August, 2025 passed by the Civil Judge Senior Division, Sinner has been filed and in the said proceeding, notice has already been issued. He therefore seeks a short accommodation till the said application for setting aside the impugned judgment and award dated 1 August, 2025 is decided.

3) He further submits that in the present proceedings, the respondent was served by the court notice. So also, the advocate's private notice by a speed post is being served, and the same has already been filed in the proceeding.

4) At the request being made by Mr.Hon, stand over to **19 December, 2025.**

5) In the meantime, ad-interim relief granted by this Court, is extended till the next date of the hearing.

[RAJESH S. PATIL, J.]