

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO. 7 OF 2018

Smt. Manjusha Sumeet Chavan @ Deshmukh ...Appellant
Versus

Mr. Sumeet Sudhir Chavan ...Respondent

Mr. Amit Singh i/b Omkar Nevgi for Respondent No.1 in FCA and for
Appellnat in IA.

Mr. Amit Icham i/b Aashish Satpute for Respondents.

**CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.**

DATE: 14 FEBRUARY 2025

P.C.

1. We have perused the observations which are made by the learned Trial Judge as also the contention as raised before us today.

2. We are concerned with the ailments of the husband who has already suffered from the Heart Attack as also he has look after a paralyzed mother who resides with him. Despite the orders of the Family Court in favour of the appellant, the respondent is stated to have continued to reside in the matrimonial house. In our prima facie opinion, she needs to take an appropriate position, considering the observations as made by the Family Court, as we notice that there is an irretrievable breakdown of the marriage.

Both the parties are required to take suitable positions so that the issues can

be resolved. As urged we also permit the appellant to file an application praying for appropriate interim relief before we set-down the proceedings for hearing.

3. To enable the learned counsel for the respondent to take instructions.

Stand over to **21 February 2025**.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)