



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 332/2024
[Civil]

ANUSHKA ARUN SHELAR
VS
ARUN SHIVAJI SHELAR

WITH
CP/785/2025

Anushka Arun Shelar
VS
Arun Shelar

Adv. Ajit Hon for the applicant.
Adv. Mahesh Pawar i/b. Adv. Rahul Kasliwal for respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 1 APRIL 2026.

P.C. :

Contempt Petition No. 785/2025:-

1) In present proceedings, by an order dated 16/12/2025, the Notice was issued to the respondent.

2) Mr. Hon, learned counsel appearing for the applicant-wife submits that the applicant-wife is staying along with her son born out of wedlock of her with respondent. He submits that after this Court had issued notice in the Misc. Civil Application and granted prayer clause (c) which was by mistake typed as prayer clause (b), he by his

letter dated 30/7/2024, informed the respondent specifically about the order passed by this Court in the Misc. Civil Application. Along with the letter a copy of the order was also enclosed. Prayer clauses (b) and (c) of the Misc. Civil Application read as under:-

b) transfer the Marriage Petition No.74 of 2023 pending on the file of the learned Civil Judge, Senior Division, Sinner to the Civil Judge Senior Division, Kopargaon;

c) pending the hearing and final disposal of this Application, all the proceedings in the Marriage Petition No.94 of 2023 pending on the file of the learned Civil Judge, Senior Division, Sinner be stayed.

3) Mr. Hon, learned counsel appearing for the applicant-wife further submits that there is a contempt committed by the respondent as he was aware about the passing of the order of this Court still he proceeded further with the hearing of the exparte divorce petition.

4) Mr. Hon, learned counsel appearing for the applicant-wife submits that an application is made for setting aside exparte divorce decree passed by the C.J.S.D., Sinnar, Nashik.

5) Today Mr. Pawar, learned counsel has appeared for the respondent. Mr. Pawar submits that after exparte divorce was granted to the respondent by the C.J.S.D. Sinnar, Nashik, in Marriage Petition No.74/2023 on 1/8/2025, his client has remarried on 13/11/2025.

6) Mr. Pawar, learned counsel appearing for the respondent submits that his client is illiterate and did not understand the

contents of the letter dated 30/7/2024 and the meaning of the order dated 26/7/2024, therefore, on a *bonafide* belief that the divorce has been granted to him, the respondent has remarried to another lady. He submits that no contempt has been committed by the respondent.

7) Considering the facts of the present case, in my view, *prima facie*, it appears that the respondent was well aware about passing of an order of this Court though there was a typographical error in the order, however, the prayer clause (b) if presumed to be granted by this Court in that case proceeding get transferred and the C.J.S.D., Sinnar, Nashik, had no jurisdiction to continue with further hearing of the divorce proceeding.

8) Let this matter to come up on **8/4/2026** along with Misc. Civil Application No. 332/2024 on which date respondent – Arun Shivaji Shelar is directed to remain present before this Court.

9) Mr. Pawar, learned counsel appearing for the respondent undertakes to inform passing of today's order to the respondent immediately.

10) All concerned to act on an authenticated copy of this order.

(Rajesh S. Patil, J.)