



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3145 OF 2026

SAI W/O NISHIKANT DESHMUKH, THR. HER P.O.A.,  
VS.  
NISHIKANT S/O PRAMOD DESHMUKH

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr. A.B. Mirza, Advocate for petitioner.

**CORAM : PRAFULLA S. KHUBALKAR, J.**

**DATE : 17.04.2026**

Heard learned counsel for the petitioner.

2. The petitioner's challenge is to the order dated 15.04.2026 passed by the learned Family Court, Amravati, thereby allowing the application for trying the suit as a summary suit.

3. Learned counsel for the petitioner submits that the impugned order is passed by the trial Court in a suit for injunction/anti suit injunction filed under Section 7 of the Family Courts Act, 1984 and even though, the nature of the controversy does not fall under Order XXXVII of the Code of Civil Procedure, the impugned order is passed directing the suit to be tried as a summary suit. He also submits that the impugned order was passed

by rejecting the application for adjournment and thus, without hearing the arguments of the learned counsel for the wife.

4. In view of the controversy involved, issue notice to the respondent, returnable on 27.04.2026.

5. The petitioner is permitted to serve the respondent by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

6. In the meantime, the impugned order shall remain stayed.

7. An authenticated steno copy of this order be provided to the parties to act upon.

**(Prfulla S. Khubalkar, J.)**