

ITEM NO.6 Court 9 (Video Conferencing)

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 5595/2020

(Arising out of impugned final judgment and order dated 20-09-2019 in FCA Nos. 5/2019 and 18/2019 passed by the High Court of Judicature at Bombay, Bench at Nagpur)

SHARAD MAHADEO SONTAKKE

Petitioner(s)

VERSUS

SAVITA SHARAD SONTAKKE

Respondent(s)

(FOR ADMISSION and I.R. and IA No.100139/2020-CONDONATION OF DELAY IN FILING and IA No.100142/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 27-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. K.Parameshwar, Adv.
Mr. Amit D.Bhate, Adv.
Mr. Kailas Bajirao Autade, AOR
Ms. Sheetal Patil, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

We have heard learned counsel for the petitioner. The Special Leave Petition(s) has been filed against the concurrent findings of having obtained a decree of divorce fraudulently by not serving the respondent/wife. Despite this, these concurrent findings are sought to be assailed in the present Special Leave Petition(s) by still contending that she had actually refused the summons.

It is time that we put such petitioners to terms for wastage of judicial time and for unnecessarily carrying on litigation in

different tiers despite having practiced a fraud.

We thus, not only dismiss the petition(s) but also deem it appropriate to impose cost of Rs.20,000/- on the petitioner which shall be paid to the respondent within a period of two weeks from today. The divorce proceedings which have been restored to their original number shall only commence after this cost has been paid.

A copy of the order be also forwarded to the concerned Family Court.

(ASHA SUNDRIYAL)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR