

**SUPREME COURT OF INDIA**

Anjula Verma

Vs.

Sudhir Verma

C.A.No.6224 of 2000

(Umesh C. Banerjee and K.G. Balakrishnan JJ.)

07.03.2002

**ORDER**

**Umesh C. Banerjee, J.**

1. Upon hearing the submissions made on behalf of the parties and on perusal of the records, it appears that the High Court on the factual matrix came to a conclusion to the effect as below :-

"We are, therefore, of the view that the Family Court was right in holding that there was on wrong established on the part of the respondent subsequent to the decree of restitution of conjugal rights which would disentitle him from seeking divorce under Section 13(1A)(ii) of the Act."

2. Having regard to the fact situation of the matter, we do feel it expedient in the special facts of the matter under consideration not to interfere with the findings of the High Court more specially under Article 136 of the Constitution and as such the matter does not warrant any interference. The appeal is dismissed. All interim orders stand vacated. May it, however, be clarified that the dismissal of the appeal would not in any way prejudice the right of maintenance or any other right or rights as may be available to her as regards properties in accordance with law.

Appeal dismissed.