

# Court bars kin from 90-yr-old's house

Cuffe Parade resident moved city court fearing his maternal grand-daughter-in-law could get orders in her favour in the dispute

Sunil.Baghel  
@timesgroup.com

TWEETS @baghelsMIRROR

**R**uling in favour of a 90-year-old Cuffe Parade resident, a civil court in the city has barred his maternal grandson and maternal grand-daughter-in-law from entering his house. The court observed that the joint ownership of the nonagenarian's daughter can, at best, be called as 'stridhan' to her. Stridhan is a colloquial term used for gifts received by a woman from her parent/s at the time of or after marriage.

Manharlal Badiani had filed a suit against his daughter's son and his wife, seeking to restrain them from entering his premises. Citing one previous incident, Badiani in his suit said he apprehended they could disturb his peace and that the grand-daughter-in-law was likely to seek court orders in her favour with respect to this house in the on-going dispute with her husband.

The woman, however, contended that the house was her "matrimonial home" as that is where she stayed with her husband immediately after she got married in 2017. Another contention on this point by the grand-daughter-in-law was that the house was jointly owned by her mother-in-law who was Badiani's daughter.

Advocates Vivek Kantawala and



The Palm Springs building in Cuffe Parade where Manharlal Badiani's house is located

Jash Vyas, appearing for Badiani, however, contended that the daughter's name was added to the flat at the time of its purchase in 2012 only as a matter of convenience. They submitted that the house was purchased entirely from Badiani's earnings and this daughter hadn't paid any money.

City Civil Judge KP Nandedkar, in the order passed recently observed

that no evidence was brought before the court to show that Badiani's daughter had paid any amount while purchasing the house. "Even though mother of defendant no.1 and mother in law of defendant no. 2 are co-owners of suit premises, it can be termed at the most as stridhan of mother of defendant no.1 and mother-in-law of defendant no.2. In any condition, it can-

not be called as matrimonial home of defendant no.2," the judge said.

According to the details of the case available from the court order, the couple resided at Cuffe Parade for a brief while after they got married in May 2017. They then rented an apartment around the same area in April 2018.

According to the Badiani's case, the

grand-daughter-in-law came to his house on May 16, 2018, and when he refused to open the door for her, "she screamed that she will teach him and the immediate family a lesson." She also allegedly claimed that she had the police on her side. It is also Badiani's case that the grandson and grand-daughter-in-law had some disputes, because of which she was likely to drag him/his house in those proceedings, though she could not be called his daughter-in-law and she was his daughter's daughter-in-law.

The grand-daughter-in-law, in her reply, denied all the allegations. She, in fact, alleged that the case filed by Badiani was part of a conspiracy between her husband and Badiani "to keep her out of the matrimonial (Cuffe Parade) house."

She alleged that she was forced to leave that house and stay on rent in a different house by her husband and the mother-in-law, and that she visited the Cuffe Parade house on May 16, 2018 only to enquire about her husband as he had deserted her a few days before that.

She added that since her mother-in-law was a co-owner of the Cuffe Parade house, it can be called as her "matrimonial home," therefore she cannot be denied access.

The court, however, did not accept her contentions, and granted interim reliefs in Badiani's favour.

RAJUSHELAR