

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISCELLANEOUS CIVIL APPLICATION NO.56 OF 2014

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.B.G.Ligade i/b Mr.Drupad Sopan Patil for the applicant

CORAM : K.K.TATED, J.
DATED : 06/10/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 None for the respondent, though duly served.
- 3 This application is preferred by wife under section 24 of the Civil Procedure Code, 1908 for transfer of Marriage Petition No.2527 of 2013 filed by respondent husband in the Family Court at Bandra, Mumbai under section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal right to the court of Civil Judge, Senior Division Pune.
- 4 The learned counsel for the applicant submits that petition filed by respondent under section 9 of the Hindu Marriage Act, was dismissed for default on 17.4.2014. He submits that thereafter the applicant has not received any notice either from the respondent or from the court, for restoration of

the said matter.

5 Considering the submissions made by the learned counsel for the applicant and the subsequent development that the matter filed by respondent husband stands dismissed for default by order dated 17.4.2014, I do not find any reason to entertain the present application. Hence, same stands dismissed as infructuous.

6 Liberty granted to the applicant to prefer appropriate application for revival of present application, in case the petition filed by respondent husband in the Family Court at Bandra, Mumbai bearing petition No.2527 of 2013 is restored.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original
signed order.