

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

Writ Petition No.1153 of 2015
(Shri Vivekanand s/o Gopalkrushna Kharkate v. Sau. Sneha w/o Vivekanand
Kharkate)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Shri A.P. Thakare, Advocate for Petitioner.
Shri R.M. Pande, Advocate, holding for Shri S.P. Bhandarkar,
Advocate for Respondent.

Coram : R.K. Deshpande, J.
Date : 16th September, 2015

The petitioner has an alternate remedy of filing an appeal under Order XLIII, Rule 1(r) of the Civil Procedure Code (Bombay Amendment) to challenge the order passed under Order XXXIX, Rule 11 of the Code. Hence, the petition is dismissed on that ground only. The petitioner is at liberty to file such appeal. The amount withdrawn by the respondent shall be open for adjustment, if any such occasion arises.

Judge.