

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD
MISCELLANEOUS CIVIL APPLICATION NO. 36 OF 2016

1. Sau. Prachi Mahadeo Mundalik
Age 29 years, occup. service,
r/o c/o Sanjivani Suresh Lolge,
Behind LIC Office, Shivaji Road,
Shrirampur, Taluka Shrirampur,
District Ahmednagar
2. Saish s/o Mahadeo Mundalik,
Age 1-1/2 years, r/o as above .. Applicants
versus
Mahadeo s/o Vishnupant Mundalik .. Respondents

Mr. P. P. Khandagale Patil, Advocate for applicants

CORAM : SUNIL P. DESHMUKH, J.
DATE : 18th October, 2016

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith. Heard learned counsel for applicants finally.
2. Despite availing several opportunities, none appears for the respondent.
3. Learned counsel for the applicants points out that applicant no. 1 is not in a position to attend to the proceedings filed by respondent at Jalna due to various reasons.
4. Additionally, learned counsel refers to that criminal proceedings bearing regular criminal enquiry application no. 267 of 2015 filed by applicant no. 1 against respondent is pending

before the court at Shrirampur and further that as a retaliation to the same, respondent has initiated proceedings bearing hindu marriage petition no. 235 of 2015 before the court of 5th Joint Civil Judge, Senior Division at Jalna. He submits, respondent is attending the proceedings at Shrirampur.

5. It is further being contended that having regard to the historical background, it is not advisable to ask the applicant to attend to the proceedings at Jalna.

6. In the absence of appearance of respondent, aforesaid contentions go un-controverted and to a large extent also are an indication of non resistance to the same.

7. In view of aforesaid, miscellaneous civil application is granted in terms of prayer clause (B) and is disposed of.

8. Rule made absolute accordingly.

SUNIL P. DESHMUKH,
JUDGE

pnd