

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

925 CIVIL APPLICATION NO. 10279 OF 2014
IN MCA/36/2010

DIPIKA BHARAT PUNJABI
VERSUS
BHARAT GOPALDAS PUNJABI

Shri. R.S. Shinde, Advocate, holding for Shri. N.L.
Choudhari, Advocate, for applicant.

CORAM: T.V. NALAWADE, J.

DATE : 5th APRIL 2016

ORDER:

1) The application is filed for restoration of the proceeding Misc. Civil Application No. 36/2010 which was filed for transfer of Hindu Marriage Petition No. 342/2010. In the said proceeding interim relief was given and the hearing of the Hindu Marriage Petition filed by the husband was stayed. Till the year 2014 the husband was not served with the notice of the said proceeding. Additional notice by registered post with acknowledgment due was allowed and the applicant was directed to file affidavit to show that order was complied. This order never complied with. As nobody turned up to take

steps for serving notice of the proceeding, the matter ultimately came to be dismissed on 16-4-2014. Prior to that many adjournments were given to the learned counsel for the applicant for taking steps.

2) Submissions made today by the learned show that the whereabouts of the wife are not known. Thus apparently it is not possible to comply the order made by this Court in the past. Due to this single reason this Court holds that it is not necessary to restore the matter. The application stands rejected. Liberty is given to the wife to come to this Court again with new application for transfer.

Sd/-
(T.V. NALAWADE, J.)

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