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

**WRIT PETITION NO.5424 OF 2016
WITH
CIVIL APPLICATION NO.14627 OF 2016
IN
WRIT PETITION NO.5424 OF 2016**

Sow. Sonali Mahesh Gaware,
Age: 32 years, Occ: Nil,
R/o. C/o. Rajendra Devkhar,
Ward No.7, Shrirampur,
Tq. Shrirampur, Dist. Ahmednagar. ..PETITIONER

VERSUS

Mahesh Dnyandeo Gaware,
Age: 39 years, Occ: Service
& Agri., R/o. Shirasgaon,
Tq. Shrirampur, Dist.Ahmednagar.
At present Nashik, Vitthal Park,
Flat No.16, Indira Nagar,
In front of police Station,
Tq. and Dist. Nashik. ..RESPONDENT

Mr Rahul R. Karpe, Advocate for petitioner;
Mr R.L.Kute, Advocate h/f Mr V.R. Dhorde, Advocate
for respondent

CORAM : NITIN W. SAMBRE, J.

DATE : 27th SEPTEMBER, 2017

ORAL ORDER :

Learned Counsel for the respondent –
husband, upon instructions, makes a categorical
statement that the amount of Rs.2,50,000/- (Rs. Two

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lac fifty thousand only) will be deposited before the Court of Civil Judge, Senior Division, Shrirampur, District Ahmednagar, within a period of four weeks from today, with assurance that no further extension will be sought in the matter.

2. The statement is accepted on the part of respondent-husband.

3. If such amount is deposited in Hindu Marriage Petition No. 5 of 2014, same be accepted by the learned Civil Judge, Senior Division, Shrirampur, who shall permit the present applicant - wife to withdraw the same.

2. So far as the order impugned is concerned, this Court, with consent of the parties, dispose of the petition, with direction to the Civil Judge, Senior Division, Shrirampur, District Ahmednagar, to hear the parties afresh on the application for grant of interim alimony, to which parties hereto agree to work out the matter on next date of

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hearing.

3. Parties agree that they shall not seek any unnecessary adjournment. It is expected that the Court of Civil Judge, Senior Division, Shrirampur, District Ahmednagar to decide the application for interim alimony within a period of four weeks from the date of hearing. If the undertaking is not honoured, the Court may consider for striking out the defence of the respondent-husband and it shall be open for the Court to proceed ahead with hearing of the application for interim alimony in absence of respondent-husband.

4. Pending civil application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)

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