

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO. 3334 OF 2017

MANOJ KANTILAL GAIKWAD
VERSUS
MADHURI MANOJ GAIKWAD

...

Advocate for Petitioner : Mr. Sant Kishor C.
Advocate for Respondents : Mr. M.K. Deshpande

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CORAM : V. K. JADHAV, J.
DATED : 3rd APRIL, 2018

PER COURT:-

1. By this writ petition, the petitioner husband has challenged the order dated 14.2.2017 passed by 5th Joint Civil Judge, Senior Division, Jalgaon below Exh.18 in H.M.P. No. 601 of 2016 allowing thereby the said application Exh.18 filed by the respondent-wife for framing of preliminary issue about territorial jurisdiction.

2. Learned counsel for the petitioner, on instructions, submits that during pendency of this writ petition, on 21.11.2017, the trial court has accepted the written statement filed by the respondent-wife, granted interim maintenance to her and also framed the regular issue about jurisdiction of the court. Learned counsel appearing for the respondent-wife has also not disputed this position.

3. In view of above submission, the order allowing application

Exh.18 for framing preliminary issue would be meaningless and the trial court may proceed with the suit alongwith the issue of jurisdiction framed as regular issue. Writ petition is accordingly disposed of. No costs.

(V. K. JADHAV, J.)

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