

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

**920 CIVIL APPLICATION NO. 8230 OF 2018
IN SA/237/2016**

RAVINDRA SUKHDEV GHADGE
VERSUS
SWATI RAVINDRA GHADGE @ SWATI BHONDE AND OTHERS

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Advocate for Applicant : Shri J.J.Patil

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CORAM : P.R. BORA, J.

Date: July 10, 2018

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PER COURT :-

1. Heard learned counsel for the applicant.
2. In Second Appeal No.237 of 2016, the following order was passed on 08.12.2017:-

"P.C.:

. Though the petitioner has obtained the interim relief, is not removing the office objections and therefore, the matter is not listed for hearing. If the office objections are not removed within two weeks, the second appeal will be dismissed without back reference to the Court.

2 Stand over to 22nd December, 2017."

3. Since the appellant/applicant failed to remove the office objections within stipulated period, the Second Appeal stood automatically dismissed by

virtue of the aforesaid order.

4. Learned Counsel for the applicant now undertakes to remove office objections within two weeks.

5. In view of the undertaking so given, the request so made by the learned Counsel deserves to be considered.

6. The record of the case shows that this Court (Coram: T.V.Nalavade, J.) on 15.06.2016 has passed one order directing the present applicant to deposit a sum of Rs.4,00,000/- towards the maintenance amount. The said order was passed in the year 2016. Obviously, the maintenance amount for the further period has now become due to be paid by the present applicant. On making a query in this regard, the learned Counsel, on instructions, submitted that the applicant is ready to deposit in the Trial Court a sum of Rs.1,00,000/- towards said arrears. It appears that the arrears may be of more than Rs.3,00,000/-.

7. In view of above, the following order is passed:-

ORDER

I) The Second Appeal be registered to its original file subject to deposit of a sum of Rs.1,50,000/- by the present applicant before the Trial Court within four weeks.

II) List the Second Appeal for further consideration on 07.08.2018.

III) The delay caused in filing restoration application stands condoned.

IV) Civil application stands disposed of.

(P.R. BORA, J.)

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