

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9954 OF 2018

(Sudhirkumar Vitthal Gaikwad Vs. Priya Sudhirkumar Gaikwad)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Navin Shah i/b. Ms Preetisingh J. Pardeshi for Petitioner.

CORAM : R. G. KETKAR, J.**DATE : 5TH SEPTEMBER, 2018****P.C.:**

Not on Board. At the request of Mr. Shah, learned Counsel for the petitioner, taken up in the production Board.

2. This Petition takes exception to the order dated 10.07.2018 passed by the learned Judge of the Family Court on application dated 26.06.2018 at exhibit-35. By that application, the petitioner prayed for expediting the Petition by fixing the matter on day to day basis. By the impugned order, the learned trial Judge, after considering the ground of illness of the petitioner, thought it appropriate to give priority. However, it was made clear that matter cannot be taken up on day to day basis and with these observations, the learned trial Judge disposed of the application.

3. Mr. Shah invited my attention to the treatment papers of the petitioner to contend that he was treated in Dr. D. Y. Patil Hospital and Research Centre, Pune as his sugar level came down to 34.

4. As the learned trial Judge has already given priority to the petitioner's case considering his illness, it is not possible to consider the request made in the application for fixing the matter on day to day basis more so when the Marriage Petition is of the year 2016. Depending upon the progress of the trial, liberty is reserved to the petitioner to file application after 6 months. Subject to this, Petition fails and the same is dismissed.

(R. G. KETKAR, J.)

Minal Parab