

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CAS NO.716/2018 IN SA NO.178/2017

Smt.Asha w/o Vandesh Kukudkar

..VS..

Smt.Shantabai w/o Shrirang Kukudkar

Smt.Shantabai w/o Shrirang Kukudkar : Applicant

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri N.R.Bhisikar, Counsel for the Applicant/Respondent.
Shri S.Kadam, Counsel for the Appellant.

CORAM : V.M.DESHPANDE, J.

DATED : JUNE 28, 2019.

1. This is an application moved by respondent-Smt.Shantabai w/o Shrirang Kukudkar for modification of order of Stay dated 23.11.2017.
2. Heard learned counsel Shri N.R.Bhisikar for the applicant/respondent and learned counsel Shri S.Kadam for the appellant. Also, perused affidavit dated 13.6.2019 filed by applicant/respondent-Smt.Shantabai w/o Shrirang Kukudkar in which it is stated that she wishes to withdraw the present civil application for modification.
3. On 23.11.2017, this Court after hearing learned counsel for the appellant and learned counsel for the respondent allowed Civil Application No.302/2017 filed by the appellant for grant of Stay and the Court in order observed that though decree is for maintenance, under what

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circumstances the Court is granting the Stay. The stay was granted after hearing learned counsel for the respondent. The said order was not challenged before the Honourable Apex Court. Thereafter, the present application for modification was moved.

4. At the outset, the application was not maintainable at all and it was found during the course of hearing that the respondent, who is mother-in-law of the appellant, filed a suit for maintenance against her widowed daughter-in-law, the appellant, when her husband is alive and her two daughters are working in Police Department and Social Welfare Department.

5. Be that as it may, now the mother-in-law wishes to withdraw the present application for modification.

6. The applicant/respondent is permitted to withdraw the present civil application.

7. The civil application stands disposed of as withdrawn.

JUDGE

!! BRW !!

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