

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

Writ Petition No. 6763 of 2019

Kavita Dange Vs. Amit Dange

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

Court's or Judge's orders

Mr. V.D. Muley, Advocate for the petitioner

CORAM : MANISH PITALE, J.

DATED : MARCH 04, 2020

By this writ petition, the original petitioner in Divorce Petition, has challenged order dated 23/07/2019, passed by the Court of Joint Civil Judge (Senior Division), Bhandara, whereby an application filed by the respondent was allowed and an order of no written statement was set aside.

2. The leaned counsel appearing for rival parties were heard for some time in the merits of the matter. Considering that the Court in the present case is concerned with a matrimonial dispute and it would be in the interest of justice that the respondent is granted opportunity to meet allegations made against him by the petitioner herein on merits, without commenting upon the contentions raised on behalf of the petitioner in the present writ petition, this Court declines to exercise writ jurisdiction to interfere in the

impugned order.

3. At the same time, considering the facts and circumstances of the present case, now that the written statement of the respondent is already on record before the Court below and the matter has proceeded further, it would be in the interest of justice that the petition for divorce filed by the petitioner herein is itself taken up and disposed of by the Court below on merits.

4. In view of above, the Court below is directed to dispose of the petition bearing H.M.P. No. 97/2018, filed by the petitioner within a period of six months from today.

5. It is made clear that no further extension of time will be granted to the Court below for disposal of the said petition.

6. The rival parties are directed to co-operate with the aforesaid Court for disposal of the writ petition within stipulated period of time.

7. The writ petition is disposed of with above observations.

JUDGE