

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

CIVIL APPLICATION NO. 8678 OF 2019
IN
MISC. CIVIL APPLICATION NO. 270 OF 2018

Anita @ Mayuri w/o Vijaykumar Suryawanshi ...Applicant

Versus

Vijaykumar s/o Murhari Suryawanshi ...Respondent

.....
Mr. M. B. Sandanshiv, Advocate for the applicant
Mr. S. N. Janakwade, Advocate for the respondent
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.
DATE : MARCH 10TH, 2022

PER COURT : -

CIVIL APPLICATION NO. 8678 OF 2019 : -

1. By a self-operative order passed by this Court on 03.01.2019, notice was issued to the respondent which was made returnable on 08.02.2019, *inter alia* directing the applicant to issue copy of the paper book to be supplied to the respondent as well as for removing objections before 14.01.2019, failing which it was directed that the application shall stand dismissed.

2. Since the compliance of the said order has not been made, the application stood automatically dismissed.

3. By this application, now the applicant seeks restoration of the Misc. Civil Application by contending that all the compliance has been made and the respondent's Counsel has appeared.

4. For the reasons stated in the application, the application is allowed. Delay is condoned. Misc. Civil Application No. 270 of 2018 is restored to its original number.

MISC. CIVIL APPLICATION NO. 270 OF 2018 : -

5. The learned Counsel for the applicant, on instructions, submits that the applicant/wife is ready to resume cohabitation with the respondent-husband. The Counsel for the respondent-husband, however, seeks time to take instructions. However, since there is some possibility of amicable settlement before the matter is referred for mediation, let the respondent's Counsel take appropriation instructions in that regard.

6. Stand over to **30th March, 2022**. Respondent's reply is taken on record.

[PRITHVIRAJ K. CHAVAN]
JUDGE