

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

**7 CIVIL APPLICATION NO.11414 OF 2022
IN MCA/26/2022**

SAMREEN BANO SARFARAJ SHAIKH MANIYAR
VERSUS
SARFARAJ HAMID SHAIKH MANIYAR

Advocate for Applicant : Shri Krushna S. Solanke
Advocate for Respondent : Shri Sohel E. Siddiqui

CÖRAM : M.G.SEWLIKAR, J.

DATE : 5th September, 2022

PER COURT :-

1. Heard.

2. Learned counsel for the applicant submits that Miscellaneous Civil Application No.26 of 2022 was listed on 29th June, 2022. Notice for final disposal was issued on 29th June, 2022 and it was made returnable on 27th July, 2022. He submits that on 12th July, 2022, matter was listed on board. He submits that he was not present on that day. The order passed was that if the copies are not supplied within two weeks, the matter shall stand dismissed automatically without reference to the Court,

3. Learned counsel for the applicant submits that for some unforeseen circumstances he could not supply copies within two

weeks.

4. Learned counsel for the respondent has strongly objected for restoration of Miscellaneous Civil Application. He submits that the proceeding pending at Jalna is disposed of. Therefore, there is no propriety in restoring the matter.

5. The applicant has made out a case for restoration of Miscellaneous Civil Application. In view of this, application is allowed.

6. Miscellaneous Civil Application No.26 of 2022 is restored to file.

7. List the matter for admission on 4th October, 2022.

8. Interim relief to continue till then.

(M.G.SEWLIKAR)
JUDGE

SPT