



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

WRIT PETITION NO. 14765 OF 2023

Shravanti @ Suvarna Varun Gunjal
@ Suvarna Bharat Deshmukh .. Petitioner

Versus

Varun Vitthal Gunjal .. Respondent

Shri Satyajeet S. Dixit, Advocate for the Petitioner.

CORAM : SHAILESH P. BRAHME, J.
DATE : 05TH DECEMBER, 2023.

FINAL ORDER :

. The petitioner has challenged order rejecting his application U/Sec. 24 of the Code of Civil Procedure passed by the learned Principal District Judge Ahmednagar. The matrimonial proceedings are pending before the learned 02nd Joint Civil Judge Senior Division, Sangamner, Dist. Ahmednagar. The respondent has filed suit for dissolution of marriage bearing H. M. P. No. 55 of 2019. The petitioner has preferred H.M.P. No. 457 of 2022 for restitution of conjugal rights.

2. The manner in which the proceedings are being conducted by the Presiding Officer is detrimental to the interest of the petitioner, is a grievance made by the petitioner before the Principal District Judge. The petitioner has quoted instances for entertaining a grudge against the Presiding Officer. Same are

put forth in the application U/Sec. 24 of the C. P. C. By the impugned order the application is rejected. The learned counsel for the petitioner has made further grievance that his application for deciding the proceedings together has also not been decided.

3. After hearing the learned counsel for the petitioner for a while, I expressed my disinclination for upsetting the impugned order. In matrimonial proceedings fair opportunity is expected to be extended to the parties. I hope and trust that the parties would be met by fair treatment in H.M.P. No. 457 of 2022 also. The learned Presiding Officer is expected to look into the grievance of the petitioner that no written statement has been filed by the husband.

4. The learned counsel for the petitioner on instructions seeks permission to withdraw the writ petition. The writ petition is disposed of as withdrawn with above observations.

[SHAILESH P. BRAHME, J.]

bsb/Dec. 23