



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

19 CRA NO. 69 OF 2023

ASMITA AVINASH UMALE
VERSUS
AVINASH MADHUKAR UMALE

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Mr. P.P. Giri, Advocate holding for Ms. Nayana Patil,
Advocate for the applicant.

Mr. R.R. Chandanse, Advocate holding for Mr. Suvidh
Kulkarni, Advocate for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 29 APRIL 2024.

ORDER:-

1. Heard rival submissions.
2. The learned Counsel holding holding for Smt. Nayana Patil submits that on last occasion the learned Counsel for respondent had raised objection in respect of maintainability of this petition, since alternate remedy is available for the applicant under Section 29 of the Protection of Women from Domestic Violence Act to file appeal before the concerned Sessions Court. He submits that the present petition may be allowed to be withdrawn with liberty to pursue the aforesaid remedy of filing appeal under Section 29 of Protection of Women from Domestic Violence Act.
3. In view of the above submission, the present petition stands withdrawn and disposed of with liberty to prosecute

the alternate remedy as mentioned above before the concerned Sessions Court. The learned Sessions Court may consider the period undergone in prosecuting the present application in view of Section 14 of Limitation Act in condoning the delay. The interim order passed by this Court on 9th June 2023 be continued only for further period of two weeks.

4. The Civil Revision Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)