



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13366 OF 2023
IN SAST/35404/2019

Bhakti Bhushan Gorhe

...Applicant

VERSUS

Bhushan Dilip Gorhe

....Respondent

....
Mr. G. P. Darandale h/f Mr. A. N. Kakade, Advocate
for Applicant

...

CORAM : R.M. JOSHI, J
DATE : JANUARY 29, 2024

PER COURT :

1. This application is for condonation of delay of 742 days in restoration of second appeal (st) no. 35404/2019.

2. Applicant claims that Petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights came to be dismissed. So also, Appeal filed against said dismissal is also refused. Applicant claims that out of inadvertence the objections were not removed and hence, appeal came to be dismissed.

3. Though Respondent is duly served, failed to remain present. This indicates that Respondent has no

inclination to oppose application.

4. Having regard to the nature of disputes, and as the same arises out of matrimonial discord, this Court find it appropriate to condone delay and restore second appeal.

5. Learned Counsel for the Appellant undertakes to remove office objections within three weeks.

6. Statement is accepted as undertaking. In view of this, application stands allowed. Second appeal restored to its original file. If office objections are not removed within a period of three weeks, second appeal shall stands dismissed without further reference to the Court.

(R. M. JOSHI, J.)

Malani