

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 248 OF 2024

Kailash Anna Atole	.. Applicant
Versus	
Jayashri Kailash Atole	.. Respondent

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- Mr. Nagesh Y. Chavan for Applicant

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CORAM : MILIND N. JADHAV, J.

DATE : JUNE 11, 2024

P. C.:

1. Heard Mr. Chavan, learned Advocate for Applicant.
2. Perused the impugned order dated 12.02.2024 passed by learned Trial Court below Exh. 125 in RCS No. 435/2012 which is appended at Exh. E, page Nos. 39-42 of Petition. The Application was filed on the premise that originally the Suit plaint was filed seeking relief under Section 25 of the Hindu Marriage Act and subsequently, it was amended and converted into a Suit under Section 18 of the Hindu Adoption and Maintenance Act. Though one more issue, *inter alia*, with respect to solemnization of marriage has also been raised, the same need not be gone into at this stage.
3. Respondent will have to be heard. Hence, issue notice to the Respondent made returnable on 25.06.2024. Humdast permitted. In addition to Court's notice, Applicant is directed to serve copy of the

CRA along with copy of this order on the Respondent and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date. After receiving the notice, Respondent to file affidavit-in-reply on or before the next date, if so desired with an advance copy to the Advocate for Applicant.

4. Respondent is directed to remain present either herself or through her Advocate on the next adjourned date. It is made clear that if Respondent remains absent despite service on the next adjourned date, this CRA shall be heard and disposed of at the stage of admission in the absence of the Respondent.

5. Stand over to **25th June, 2024.**

Amberkar

[MILIND N. JADHAV, J.]

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