

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 351 OF 2024

Rahul Pradeep Kakade ...Applicant

Versus

Aarti Rahul Kakade ...Respondent

....

Ms. Megha Bajoria, Advocate for the Applicant.

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CORAM : MILIND N. JADHAV, J.

DATE : 16th AUGUST, 2024.

P.C.:

1. Ms. Bajoria, learned Advocate for the Applicant has drawn my attention to the Order dated 11th July, 2023 in Criminal Writ Petition (St) No.11974 of 2023. In that proceedings the parties have entered into consent terms which are appended at Page No.25, Exhibit-C.

2. The learned Advocate for the Applicant has drawn attention to Clause-5 of the said consent terms and would submit that for implementation of the said clause the present application is filed.

3. An arguable case is made out by Ms. Bajoria for issuance of notice and for reply from Respondent.

4. Issue notice to the Respondent. Humdast permitted.

5. In addition to Court's notice, Applicant is directed to serve copy of the application 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.

6. 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.

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

8. **Stand over to 23rd August, 2024.**

(MILIND N. JADHAV, J.)