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1-CA-1273-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 CIVIL APPLICATION NO. 1273 OF 2025
IN MCA/94/2024

Pooja Kuldeep Tonde
VERSUS
Kuldeep Sanjay Tonde

...

Mr. Ganesh Jyotiram Kore, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 6th FEBRUARY 2025

PC :-

1. This application is for restoration of the Misc.Civil Application which came to be dismissed by conditional order dated 19th July 2024. This Court has directed to take steps against Respondent within four weeks and on failure petition to stand dismiss without reference to the Court.
2. The learned Advocate for the applicant submits that, the parties being husband and wife were engaged in compromise talks and therefore advocate for applicant was not pursuing the matter. However,

the talks failed, the compromise could not materialize. The parties could not arrive at settlement. It is therefore, the applicant made an inquiry with the lawyer about the status of the Misc. Civil Application. It is only thereafter it realized that application came to be dismissed for want of steps. The applicant submits that now received the instructions to pursue the application. The said fact as stated above, delay of 159 days caused in filing the application.

3. Considering above, since before the order, no notice was served on the respondent. This Court finds no notice is required in this application. The application stands allowed and is disposed off by condoning delay.

4. Office to restore the Misc. Civil Application to its original position.

5. Civil Application stands disposed off.

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6. Issue fresh notice to the Respondents, returnable on 20th March 2025.

[KISHORE C. SANT, J.]