



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

FIRST APPEAL NO. 364 OF 2023

Priti Eknath Gaikwad

VERSUS

Eknath Sukhdeo Gaikwad

...

Mr. J. V. Patil, Advocate for Appellant

Mr. B. B. Kulkarni, Advocate for Respondent

....

CORAM : ROHIT W. JOSHI, J.

DATED : 28TH MARCH, 2025

PER COURT :-

. Impugned decree is passed by the Court of learned Ad-hoc District Judge. The learned Ad-hoc District Judge is a subordinate Court to the Court of District Judge.

2. The present appeal is filed under Section 34 of Special Marriage Act, which provides that appeal shall lie before a Court, which is an ordinary Court of appeal.

3. In view of Section 16 of the Maharashtra Civil Courts Act, 1869, the District Court is a regular Court of appeal from decree passed by the learned Ad-hoc District Judges.

4. In that view of the matter, permission is granted to withdraw the appeal with liberty to file the same before the District Court at Aurangabad.

5. The period during which the present appeal was pending, shall be excluded for the purpose of computation of limitation.
6. First Appeal is disposed of as withdrawn.

(ROHIT W. JOSHI, J.)