



ORDER PASSED BELOW EXH.35 IN H.M.P. NO.63/2018
(CNR No. MHWS02001397-2018)

Praful Manwar Vs. Sou. Sapna Manwar.

1. The petitioner/husband has filed this application, praying that an order dated 01.09.2022 passed below Exh.16 in respect of discarding petitioner's affidavit in lieu of his chief examination. The petitioner has stated that on dated 01.09.2022, he was out of station & therefore, he could not attend the Court. He has, thus, stated that if this application is not allowed, he will suffer irreparable loss. With this, he has prayed that this application be allowed.
2. The respondent/wife has filed her say on overleaf of this application. She has stated that contents of this application are not true & correct. According to her, an order dated 01.09.2022 is perfectly legal & valid one. With this, the respondent has prayed that this application be rejected.
3. I have heard Ld. Advocate Mr.A.R.Somani for the petitioner & Ld. Advocate Mr.B.M.Deshpande for the respondent at considerable length, and have gone through record of the petition.
4. Having regard to nature of the petition & the reason mentioned in this application, I have no hesitation to hold that this application deserves to be allowed. With this, I proceed to pass the following order -

ORDER

- 1) Application Exh.35 is allowed & accordingly, an order dated 01.09.2022 passed below Exh.16 is set aside.
- 2) No order as to costs.
- 3) Parties to the petition shall take note of this order.

Washim.
Date – 29/09/2022.

(S.S.Ubale),
3rd Jt Civil Judge, Sr. Div.,
Washim.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same, word to word,
as per the original Order

Name of the Stenographer :	P.P.Sonune, Jr. Clerk
Name of the Court :	Shri.S.S. Ubale, 3 rd Jt. C.J.S.D.Washim
Date :	29.09.2022
Order signed by the presiding officer on :	29.09.2022
Order uploaded on :	29.09.2022