

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 6249 of 2017**

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PRAMODSINH ATULJI THAKOR & 1 other(s)

Versus

STATE OF GUJARAT & 1 other(s)
=====

Appearance:

MR BS KHATANA(3671) for the Applicant(s) No. 1,2

HCLS COMMITTEE(4998) for the Respondent(s) No. 2

MS RUMANA L PATHAN(7564) for the Respondent(s) No. 2

PUBLIC PROSECUTOR for the Respondent(s) No. 1
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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 10/08/2022****ORAL ORDER**

Though the matter was called out thrice, learned advocate Ms.Rumana L. Pathan appearing for Respondent No.2 Wife – original complainant was absent on all the three occasions. Learned advocate Mr.Premal R. Nanavati for learned advocate Mr.B.S.Khatana for the petitioners was present all throughout during each and every call and he insisted that matter may be taken up as before the trial Court, in the proceedings under the Domestic Violence Act, the original complainant is insisting for proceeding with the matter and considering the fact that there is

no stay in favour of the petitioner, the trial Court is also insisting upon the petitioner to proceed with the matter.

Today original complainant *viz.* Suryaben W/o. Pramodji Atulji Thakor is present before this Court and she has stated that she wants to appear as party-in-person and she will be making necessary application to the concerned committee for permitting her to appear as party-in-person.

Considering the fact that now Respondent No.2 wants to appear as party-in-permission, for which she is required to take permission from the committee, matter is adjourned to **14.09.2022**. In the meantime, if the matter is listed before the trial Court learned advocate appearing for the petitioner is at liberty to file an application for adjournment and if any such application is preferred, the trial Court may consider it in accordance with law keeping in mind the fact that today also learned advocate for the petitioner is ready and willing to proceed with the main matter but the matter is being adjourned on account of request which

has come from Respondent No.2 – original complainant that she wants to appear as party-in-person. Stand over to **14.09.2022.**

(NIRZAR S. DESAI,J)

MISHRA AMIT V.