

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

rpa

**CIVIL APPLICATION NO.42 OF 2015
IN
FAMILY COURT APPEAL NO.50 OF 2008**

Mahiyar Kaikobad Goghavala .. Applicant

IN THE MATTER EBTWEE :

Mahiyar Kaikobad Goghavala .. Appellant
Vs.
Rina Mahiyar Goghavala .. Respondent

....
Ms.Bruno Castellino, Advocate for the Applicant.
None for the Respondent.
....

**CORAM : RANJIT MORE &
A.P. BHANGALE, JJ.**

DATED : MAY 8, 2015.

P.C. :

Heard the leaned counsel for the petitioner. None appears for the respondent, though served.

2 The application is taken out for restoration of the Family Court Appeal No.50 of 2008 by condoning the delay of six days.

3 The said Appeal was dismissed for non-prosecution as none appeared on behalf of the applicant when the matter was called out for hearing on 12th November, 2014. The applicant has explained the circumstances under which he could not attend the hearing on 12th November, 2014 when the above Family Court Appeal was called out for hearing. Explanation was also given for delay of six days in filing of the Appeal.

4 In the above circumstances, the application is allowed in terms of prayer clauses [a] and [b].

(A.P. BHANGALE, J.)

(RANJIT MORE, J.)