

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CAA No.2/2015 in A.O. St. No.369/2015

Raju @ Yunus s/o Ahmed Punjani Vs. Mohd. Imran Isani s/o Noor Mohd. Isani.

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

CORAM : Z.A. HAQ, J

DATE : 9th January, 2015.

Heard Shri S.H. Sahid, the learned Advocate for the applicant and Shri Abdul Subhan, the learned Advocate for the non-applicant.

For the reasons stated in the application specially the fact that the applicant had filed writ petition challenging the impugned order and the writ petition was filed within prescribed period of limitation, the delay in filing the appeal is condoned. Civil Application is allowed accordingly.

A.O. St. no.369/2015 & CAA No.3/2015

Shri Abdul Subhan, the learned Advocate for the respondent/Caveator seeks time.

Until further orders, the custody of the minor daughter shall be with the applicant.

Civil Application praying for interim order is not in consonance with Order 41 Rule 5 of the Code of Civil Procedure. The appellant shall deposit Rs. 500/- with the High Court Legal Services, Sub Committee, Nagpur for the lapse on its part in filing proper application. The amount shall be deposited and receipt shall be produced on the record till 19th January, 2015 failing which interim order shall stand vacated without reference to the Court.

List the appeal for consideration on 21st January, 2015.

JUDGE

Ambulkar