

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO.302/2015 IN FIRST APPEAL NO. 599/2011
(ARCHANA SUNIL KALE VERSUS SUNIL RAMESHRAO KALE)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri A. Thakkar, counsel for the applicant.
 Shri S.R. Deshpande, counsel for the non-applicant.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATE : MARCH 17, 2015.

Though we do not find much merit in the reasons stated in the application for condoning the delay in filing the application for grant of re-hearing in the first appeal, after hearing the learned counsel for the applicant, we allow the prayer made in the application and condone the delay in filing the application for recalling the judgment and for hearing of the first appeal.

C.A.F. NO.303/2015.

No ground has been made out for reviewing the judgment dated 10.06.2014 in First Appeal No.599 of 2011. The reliance placed by the counsel for the applicant on the provisions of Order XXXII Rule 15 of the Code of Civil Procedure for substantiating his submission that the Court was liable to appoint a guardian for the applicant-original respondent as the applicant was adjudged to be a person of unsound mind, is ill-founded as it is not held by this Court in the judgment dated 10.06.2014 that the applicant is of unsound mind. This Court has only observed that the applicant suffers from *Dependent Avoidant Personality Disorder*.

In the result, the miscellaneous civil application is dismissed with no order as to costs.

JUDGE

JUDGE

APTE