

CIVIL APPLICATION NO.132 OF 2016
IN
FAMILY COURT APPEAL NO.29 OF 2013

 $1/2$

2. Learned Counsel for the Respondent/husband states that he has no instructions to appear, as he has returned the papers.

3. We have perused the order of the Registrar (Judicial-II) dated 11 December 2015. By the said order, he directed the Applicant to supply a copy of the Appeal for effecting service on the Respondent/husband. However, we find that the day on which the said order was passed, the Respondent/husband was already represented by an Advocate, who is present today. Therefore, there was no occasion to issue a fresh notice to the Respondent/husband. Hence, a case for restoration of the Family Court Appeal is made out. Accordingly, the Application is allowed in terms of prayer clauses (a) and (b). Registry is directed to issue a notice of restoration of the Appeal to the Respondent/husband, returnable on 29 July 2016.

(A.A. SAYED, J.)

(A.S.OKA, J.)