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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION No. 221 OF 2016
IN
REJECTED CASE No. 941 OF 2016******Mr. Nilesh Arjun Dolas*** ***...Applicant******In the matter between******Mr. Nilesh Arjun Dolas*** ***...Appellant******Vs.******Mrs. Seema Nilesh Dolas*** ***....Respondent***

Mr. Mahadji Phalke for the Applicant

***CORAM : V. M. KANADE &
SMT. SWAPNA S. JOSHI, JJ******DATE : SEPTEMBER 2, 2016******P.C. :***

1. Since the Family Court Appeal was dismissed for want of prosecution before issuing of the notice to the Respondents, we are of the view that without issuing the notice to the Respondents, this civil application for restoration can be allowed and order of dismissal of the appeal can be recalled.

2. We have heard the learned counsel appearing on behalf of the Applicant. The order dated 23.2.2016 passed by the Registrar- Judicial, dismissing the appeal for non-removal of the office objection is set aside and the FCA is restored to the file. Civil Application for restoration is allowed and disposed of in terms of prayer clauses (a) and (b).

3. The Applicant shall remove the office objection within four weeks.

SWAPNA S. JOSHI, J.

V.M. KANADE, J.