

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.212 OF 2016 IN
CIVIL APPLICATION NO.131 OF 2014 IN
FAMILY COURT APPEAL NO.85 OF 2014

Mr.Sushil Upadhyay i/b Mr.A.M.Saraogi for the
applicant
Ms Rohini Dandekar for the respondent

P.C.:

1 Heard the learned counsel for the applicant. This application for restoration is opposed by the learned counsel for the respondent. The application for interim relief filed by the applicant in the Family Court Appeal is dismissed on account of absence of the applicant. Today, an affidavit of Shri Madhav Chate, a Clerk of the Advocate for the applicant is filed on record. In the affidavit, he has stated that there was an error on his part. He did not notice the matter on board while checking the cause list. Hence, a case for restoration is made out. The learned counsel for the applicant stated that the entire amount as per the ad-interim order in Civil Application No.131 of 2014 has been paid up to date. We accept the said statement.

2 Hence, we pass the following order:

- (I) The civil application is allowed in terms of prayer clauses (a) and (b);
- (II) The restored civil application shall be fixed for hearing on 24th August 2016.

(A.A.SAYED,J.)

(A.S.OKA,J.)