

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

16 FIRST APPEAL NO. 4245 OF 2016
WITH CA/15601/2016 IN FA/4245/2016

VAIBHAV UTTAMRAO JOSHI
VERSUS
AMBIKA @ AASMITA VAIBHAV JOSHI

...
Advocate for Appellant : Mr. Subhash V. Mundhe (Absent)
Advocate for Respondent : Mr. A.D. Wange
...

CORAM : K.K. SONAWANE, J.

DATED : 11TH DECEMBER, 2017.

Order :-

1. When the matter is called out, once again no one else turn up on behalf of appellant. Learned counsel for respondent is present. He has submitted that respondent has already obtained divorce from the concerned Court and performed second marriage, therefore, very purpose of filing the present appeal seems to be infructuous. He has made such nature of submission on the previous date, also but no one else represent the appellant.

2. The record adumbrates continuous absence of appellant in the proceeding. In such circumstances, there is no propriety to keep the matter alive for securing the presence of appellant and his counsel in this matter. Hence, in view lackadaisical attitude on behalf of appellant, appeal stands dismissed for want of prosecution. No order as to costs.

3. Pending civil application does not survive and stands disposed of accordingly.

Sd/-
[K. K. SONAWANE]
JUDGE