

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO. 43 OF 2015
WITH
CIVIL APPLICATION NO. 228 OF 2016
IN
FAMILY COURT APPEAL NO. 43 OF 2015**

Shri. Suresh Sitaram Thakare

..Appellant

Vs.

Sau. Pradnya Suresh Thakare

..Respondent

**Ms. Nazia S. A. Shaikh i/b Leena Patil Advocate for the Appellant
Mr. Nikhilesh Pote Advocate for the Respondent**

**CORAM : R. M. SAVANT, J &
SMT. SADHANA S. JADHAV, J.
DATE : 14th JUNE, 2017**

P.C.

1 The learned counsel appearing on behalf of the Petitioner h/f Ms. Leena Patil states that in spite of efforts made by way of sending letters as also calls on the cellphone, the Appellant is not responding. She further states that Appellant has complied with the order in so far as the payment of the amount of Rs. 1,50,000/- is concerned, but has not complied with the order in so far as taking back the Respondent and son is concerned. She states that in the absence of any communication from the Respondent, she is bereft of instructions to proceed with the matter.

2 We are therefore, constrained to dismiss the above Family Court Appeal

for non prosecution on account of the helplessness shown by the learned counsel appearing for the Appellant.

3 In view of the dismissal of the Appeal, the Civil Application also stands disposed of.

4 The learned counsel appearing for the Respondent states that there are arrears to the tune of Rs. 2,92,000/-. If that be so, Respondent would be entitled to adopt appropriate proceedings for recovery of the same.

[SMT. SADHANA S. JADHAV, J.]

[R.M.SAVANT, J]