

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FAMILY COURT APPEAL NO. 85 OF 2009
IN
PETITION NO. A-1470 OF 2004**

Mrs. Renuka N. Gorade alias
Renuka Ramakant Suryawanshi .. Appellant

Vs.

Mr. Ramakant M. Suryawanshi & Anr. .. Respondents

....
Mr. Shashank Thatte & Suchita S. Thatte Advocate for Appellant
Dr. Santosh Raje Advocate for Intervenor
Mr. Tejas H. Bhatt Advocate for Respondent No.2
....

**CORAM : SMT.V.K.TAHILRAMANI AND
M.S.KARNIK, JJ.**

DATED : OCTOBER 11, 2017

ORAL ORDER [PER SMT. V.K.TAHILRAMANI, J.] :

1 Heard the learned counsel for the appellant. The appellant - wife has preferred this Family Court Appeal against the order of the Family Court No.4 Bandra, Mumbai passed in Petition No. A-1470 of 2004 filed by the husband. In the said petition, the husband has sought divorce on the ground of cruelty as well as adultery. The said petition came to be

allowed and the Family Court granted divorce to the petitioner – husband. This order has been challenged by the appellant by way of the present Family Court Appeal.

2 It is brought to our notice that the respondent no.1 who was the husband of the appellant, has expired on 5.7.2016. It is also not controverted by the appellant that the respondent no.1 – husband has expired, however, according to the appellant, the appeal would still survive. The copy of the death certificate is taken on record and marked “X” for identification.

3 In view of the death of the respondent no.1 - husband of the appellant, the Family Court Appeal is disposed of as abated.

[M.S.KARNIK, J.]

[SMT.V.K.TAHILRAMANI, J.]