

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

FAMILY COURT APPEAL NO.99 OF 2008

Sou. Rupali Nilendra Mendarkar

...Appellant

Versus

Shri Nilendra Pandurang Mendarkar

...Respondent

.....

Mr. I.M. Khairdi for the Appellant (discharged)

Mr. Nitin P. Deshpande for the Respondent.

CORAM : A.S. OKA, AND

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 20th JANUARY, 2017.

P.C:-

The learned counsel appearing for the Appellant has placed on record office copy of a letter dated 7th October, 2016 sent by him to the Appellant by registered post acknowledgment due. The receipt of dispatch as well as acknowledgment is also placed on record, which shows that letter has been served in October, 2016. The learned counsel appearing for the Appellant states that thereafter the Appellant has not approached him or has given any instructions. Therefore, he seeks discharge.

2. In view of the office copy of the letter dated 7th October, 2016, the postal receipt as well as the acknowledgment which are taken on record and marked 'x1' for identification, we grant discharge to the Advocate for the Appellant.

3. Since the Appellant has not caused appearance, we dismiss the Appeal for non prosecution.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)