

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

**FAMILY COURT APPEAL NO.87 OF 2017
WITH
CIVIL APPLICATION NO.95 OF 2017**

Mohammadhussain Nijampasha Patil : Appellant/Applicant.

versus

Smt.Nilofar @ Farhin (Gori)

Mohammadhussain Patil and anr. : Respondents.

Mr. Laxmi P Rao for the Appellant/Applicant.

Mr. Akshay Petkar for the Respondent No.1.

**CORAM : R. M. SAVANT &
SMT. SADHANA S JADHAV, JJ.**

DATE : 19th JUNE 2017

P.C.

1 The learned counsel appearing on behalf of the Appellant, having regard to the challenge raised in the above Family Court Appeal, seeks to withdraw the above Family Court Appeal with liberty to file a Revision Application under Section 397 of the Criminal Procedure Code to challenge the impugned order. The above Family Court Appeal is accordingly allowed to be withdrawn with liberty as prayed for. To facilitate the filing of the Revision Application, the ad-interim relief which is in operation from 05/06/2017 would continue to operate for a period of two weeks from date. Needless to state that the Revision Application would be tried on its own merits and in accordance with law. If the issue of limitation arises, the fact that the Appellant was prosecuting the above Family Court Appeal can be urged by the Appellant.

In view of the withdrawal of the above Family Court Appeal, the Civil Application No.95 of 2017 does not survive and the same to accordingly stand disposed of as such.

[SMT. SADHANA S JADHAV, J]

[R.M.SAVANT, J]