

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

FAMILY COURT APPEAL NO. 315/2014

(CHANDRAPAL GANPATRAO SHAMBHARKAR **VERSUS** ANITA CHANDRAPAL SHAMBHARKAR & ANR)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri R.R. Vyas, counsel for the appellant.

CORAM : SMT. VASANTI A NAIK AND
A.D. UPADHYE, JJ.

DATE : JULY 07, 2017.

By this family court appeal, the appellant has challenged the judgment of the Family Court directing the appellant to pay a sum of Rs.3,000/- per month to the respondent no.1-Wife of the appellant and Rs.2,500/- per month to the respondent no.2-Daughter of the appellant from the date of filing of the petition, i.e. 10.01.2012.

Shri Vyas, the learned counsel for the appellant, states that during the pendency of the family court appeal, the respondent no.1 has expired. It is stated that since the respondent no.2 is the daughter of the appellant, the appellant has no grievance against the direction of the Family Court that the appellant should pay a sum of Rs.2,500/- to the respondent no.2. It is stated that since the respondent no.1 has expired during the pendency of the appeal, the appellant intends to withdraw the appeal and intends to deposit the amount that was liable to be paid to the respondent no.1 in terms of the order of the Family Court, that is challenged in this appeal. It is stated that the deposited amount could be withdrawn by the respondent no.2. It is submitted that in view of this subsequent development, the appellant is not desirous of prosecuting the appeal.

We permit the appellant to withdraw the appeal. The appeal stands disposed of as withdrawn. The Court fees, if any, should be refunded to the appellant as per the Rules. No costs.

JUDGE

JUDGE

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