

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.33 OF 2018

IN

FAMILY COURT APPEAL NO.83 OF 2008

Nimraj Pandharinath Vispute.] ... Applicant

Versus

Hemlata Nimraj Vispute.] ... Respondent

Mr. Sumant R. Deshpande i/b Mr. Satyavrat Joshi for Applicant.
Mr. Sanjay Kshirsagar for Respondent.

CORAM :- K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE :- 06 FEBRUARY, 2018

P. C. :-

1. This Civil Application is filed for restoration of Family Court Appeal No.83 of 2008. The said Appeal was dismissed because nobody remained present when the matter was called out and hence by the order dated 05/01/2018, the matter was dismissed for non-prosecution.

2. The learned Counsel for both the parties are present and showed their willingness to work out the matter on merits. Hence

considering the averments made in the Civil Application, the Civil Application is allowed in terms of prayer clause (a) which reads thus :

- A. “(a) that this Hon'ble may be pleased to restore Family Court Appeal No.83 of 2008 to its original file.”
- B. The Family Court Appeal No.83 of 2008 is restored to file.
- C. The order dated 05/01/2018 is recalled.
- D. The Family Court Appeal shall be listed for final hearing on the weekly board commencing from 12/02/2018.

(SARANG V. KOTWAL, J.)

(K. K. TATED, J.)