

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.198 OF 2018

IN

FAMILY COURT APPEAL NO. 43 OF 2016

Mr. Yogesh J. Shetty

..Applicant

Vs.

Mrs Leena Y. Shetty

..Respondent

Mr. Sunil Kadam I/b Balwant Salunkhe, for the Applicant

Mr.R. S. Kate, for the Respondent.

CORAM:-K. K. TATED & B. P. COLABAWALLA,JJ.

DATE :- JULY 25, 2018.

P. C.:

Heard. This application is for restoration of Family Court Appeal No. 43 of 2016 which stood dismissed for non prosecution by order 28th March, 2018 passed by this Court.

2 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil Application, we are satisfied that the Applicant has made out a case for following order:-

**Anjali
Tushar
Aswale**

a) The order dated 28th March, 2018 passed by this Court is

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recalled.

- b) Family Court Appeal No. 43 of 2016 is restored on file for hearing on its own merits.
- c) The Applicant to pay costs of Rs. 2,000/- to the Respondent.
- d) Costs to be paid within four weeks from today.
- e) Civil Application stands disposed of accordingly.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)