

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

**CIVIL APPLICATION NO.164 OF 2018
IN
FAMILY COURT APPEAL NO.39 OF 2009**

Vidya Sharad Mahajan .. Applicant

V/s.

Sharad Bhagwat Mahajan .. Respondent

Mr.Uday P. Warunjikar for the Applicant

Mr.R.M.Pethe for the Respondent

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

DATED : JULY 10, 2018

P.C. :

1 Heard.

2 This Application is filed by wife for restoration of Family Court Appeal No.39 of 2009 which stands dismissed for non-prosecution.

3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, we are satisfied that the Applicant has made out a case for allowing the present Civil

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Application. Hence, following order:

- a) Order dated 07.06.2018 passed by this court is recalled.
- b) Family Court Appeal No.39 of 2009 is restored on file for hearing.
- c) The learned counsel for the Respondent husband waives service for final hearing of Family Court Appeal.
- d) Registry is directed to place Family Court Appeal for final hearing in weekly board as per its turn.
- e) Civil application stands disposed off accordingly.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)