

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 194 OF 2018

IN

FAMILY COURT APPEAL NO. 83 OF 2017

Mr. Sunil H. Jaiswal ..Applicant

IN THE MATTER BETWEEN

Mr. Sunil H. Jaiswal ..Applicant

Vs.

Mrs. Meena S. Jaiswal ..Respondent

Mr. Milind A. Kale, for the Applicant.

Ms. Megha Bajaria, for the Respondent.

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

DATE :- AUGUST 1, 2018.

P. C.:

Heard. By this Civil Application, the Applicant is seeking to restore Family Court Appeal No. 83 of 2017 along with Civil Application No. 111 of 2017 which stood dismissed for non prosecution by order dated 15th June, 2018.

2 At this stage, both counsel submit that the mediation report is failed, therefore, the report is not received by the Registry.

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3 Hence the matter be placed on board for admission.

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

- a) The order dated 15th June, 2018 passed by this Court is recalled.
- b) Family Court Appeal No.83 of 2017 along with Civil Application No. 111 of 2017 are restored on file for hearing on its own merits.
- c) The Registry is directed to place the Family Court Appeal as well as pending Civil Application for admission on 7th August, 2018.

 The Civil Application stands disposed of accordingly.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)