

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CIVIL APPLICATION NO.369 OF 2018
IN
FAMILY COURT APPEAL (ST.) NO.29454 OF 2017**

Pravin Ramchandra Kadam .. Applicant

V/s.

Prerna Pravin Kadam .. Respondent

Mr.Tushar Sonawane for the applicant

Mrs.Megha Guralani for the respondent

**CORAM: K.K. TATED &
N. J. JAMADAR, JJ.**

DATED : DECEMBER 20, 2018

P.C. :

1 Heard.

2 Advocate Mrs.Megha Guralani submits that she received instructions to appear on behalf of Respondent. She undertakes to file her Vakalatnama in the Registry. Same is accepted.

3 By this Civil Application, applicant husband is seeking to set aside the order dated 12.04.2018 passed by learned Registrar (Judicial-II) by which the Family Court Appeal (St.) NO.29454 of 2017 stands dismissed for non-removal of office objection.

4 The learned counsel for the applicant submits that applicant undertakes to remove all office objection on or before 16.02.2019. He submits that applicant has good chance of success in the present proceeding. He submits that in the interest of Justice, this Hon'ble Court be pleased to set aside the order dated 12.04.2018 and restore the Family Court Appeal on file for hearing on its own merits.

5 Considering the submissions made by the learned counsel for the applicant and the reasons disclosed in the Civil Application, we are satisfied that the applicant has made out a case for allowing the Civil Application. At the same time, applicant to pay cost of Rs.2,500/- to the Respondent within six weeks from today. Hence, following order is passed:

- a) Order dated 12.04.2018 passed by learned Registrar (Judicial-II) be set aside.
- b) Family Court Appeal (St.) No.29454 of 2017 is restored on file.
- c) Applicant to remove all office objection in Family Court Appeal (St.) No.29454 of 2017 on or before 31.01.2018, failing which Family Court Appeal stands dismissed for non-prosecution.
- d) Applicant to pay cost of Rs.2,500/- to the Respondent or their Advocate within six weeks from today and place on record receipt to that effect, failing which Civil Application shall stand

dismissed without referring back to the court.

c) Civil Application stands disposed of accordingly.

(N. J. JAMADAR, J)

(K.K. TATED, J.)