

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.306/2017
IN
FAMILY COURT APPEAL NO.135/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. V. K. Bodhare i/b. Ashok M. Joshi for the Applicant

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.**

DATE : JANUARY 10, 2018

P.C.:

1. Heard. This Application is made by wife for setting aside the conditional order dated 10.08.2017 passed by the learned Registrar (Judicial-II).

2. The learned counsel for the Applicant submits that it remained on their part to take appropriate steps for service on Respondent and to pay paper book charges in the lower court. He submits that the Applicant undertakes to pay printing charges in the Trial Court within six weeks from today. He submits that in the interest of justice, this Hon'ble Court be pleased to set aside

the order dated 10.08.2017 and restore the matter on board for hearing.

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 Application.

4. Hence, the following order:

a) Order dated 10.08.2017 passed by the learned Registrar (Judicial-II) is set aside.

b) The Family Court Appeal is restored to file for hearing on merits.

c) The Applicant to deposit paper book charges in the lower court within six weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

d) The Applicant to file private paper book within eight weeks from today.

e) Civil application stands disposed off accordingly.

(SARANG V. KOTWAL,J.)

(K.K.TATED,J.)