HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE T. AMARNATH GOUD

F.C.A.No. 338 of 2018

JUDGMENT:- (ORAL)
(Per Hon'ble Sri Justice Suresh Kumar Kait)

This appeal is preferred against the Docket Order dated 27.06.2018 in F.C.O.P.No. 1130 of 2016 passed by the Judge, Family Court at L.B.Nagar, Hyderabad whereby it is recorded as under:

> "Both parties absent. Petitioner again absent. Hence, petition stands dismissed."

The learned counsel for the appellant has contended that the trial Court has erroneously disbelieved the pleas of the appellant for adjournment of case for the reason that the cousin of the appellant died and the appellant had to attend his cousin's funeral on 27.06.2018. The learned counsel for the appellant has produced copy of the Death Certificate No. 135 which establishes that the appellant's cousin expired on 24.06.2018 and cremated on 27.06.2018.

In view of the above, the Docket Order dated 27.06.2018 in F.C.O.P.No. 1130 of 2016 passed by the trial Court is hereby set aside and the trial Court is directed to reopen and dispose of the case in accordance with law after giving the parties an opportunity of being heard.

Accordingly, the appeal is allowed. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

_____
SURESH KUMAR KAIT, J

05.10.2018

_____
T. AMARNATH GOUD, J

bcj