

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

**CIVIL APPLICATION NO.142 OF 2019
IN
FAMILY COURT APPEAL NO.112 OF 2018**

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. Tarun Kumar Sinha, Advocate for the Applicant.

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

DATE : 15th NOVEMBER, 2019

PC.:

1. Heard learned Counsel Mr. Tarun Kumar Sinha for the applicant.
2. By this Civil Application, the applicant is seeking restoration of Family Court Appeal No.112/2018 which stand dismissed in view of the conditional order dated 17.9.2018 passed by the learned Registrar (Judicial-II) and for condoning the delay of 94 days' caused in filing the Civil Application.
3. The learned Counsel for the applicant submits that inadvertently it remained on their part to comply the conditional order dated 17.9.2018 passed by the learned Registrar (Judicial-II). He submits that the applicant undertakes to comply said order within two weeks from today.

4. Considering the submissions made by the learned Counsel for the applicant and the averments made in the Civil Application and as the applicant undertakes to comply the order dated 17.9.2018 within two weeks from today, we are satisfied that the applicant has made out a case for allowing this Civil Application. Hence, the following order :

- (a) The order dated 17.9.2018 passed by the learned Registrar (Judicial-II) is set aside.
- (b) Family Court Appeal No.112/2018 is restored to file for hearing.
- (c) The applicant to remove all office objections as per the conditional order dated 17.9.2018 on or before 30.11.2019, failing which Civil Application shall stand dismissed without referring back to the Court.
- (d) Civil Application is disposed of accordingly. No order as to costs.

(K.K. TATED, J.)

(SARANG V. KOTWAL, J.)