

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

**CIVIL APPLICATION NO.314 OF 2018
IN
FAMILY COURT APPEAL NO.211 OF 2008**

Mrs.Vidya Milind Londhe @
Vidya Ukhardu Kakade

.... Applicant

versus

Milind Hari Londhe

... Respondent

.....

- Mr.Indrayani Koparkar, Advocate for Applicant.
- Ms. Smita Gaidhari, Advocate for Respondent.

**CORAM : AKIL KURESHI &
SARANG V. KOTWAL, JJ.
DATE : 13th MARCH, 2019.**

P.C. :

1. Civil Application is filed for restoration of Family Court Appeal No.211/08, which was dismissed for non-appearance of the Advocate for the Appellant. The Family Court Appeal arises out of the judgment of the Family Court granting Decree of Divorce to the Respondent-husband.

2. For the reasons stated in the application and those made out before us, during course of arguments, request for restoration of Family Court Appeal after condoning the delay is granted.
3. Family Court Appeal No.211/08 stands restored to file. Learned Counsel for Respondent-Husband however submitted that during the time when the Family Court Appeal stood dismissed, the husband has already remarried. Whether on account of such remarriage, the Appeal directed against the judgment of dissolution of marriage becomes infructuous or not can be gone into at the time of hearing the Appeal. However, in view of the remarriage of the Respondent's husband, no question of stay arises.
4. Civil Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)

(AKIL KURESHI, J.)