

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO. 410 OF 2019
AND
FAMILY COURT APPEAL NO.46 OF 2017
(MRS SARITA BHARAT GOSAWI...VS.. BHARAT MANGAL GOSAWI.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.J.Dharkar, Advocate for Applicant/Appellant.
Shri A.B.Bambal, Advocate for Non-applicant/Respondent.

CORAM : Z.A.HAQ AND
M.G.GIRATKAR, JJ.

DATED : NOVEMBER 07, 2019.

When the matter was called out none appeared for the appellant. Shri A.B.Bambal, Advocate who represents the respondent pointed out that this has been the practice of the appellant and the appellant is avoiding hearing of the appeal on one count or the other. When we started dictating order for dismissal of the Civil Application in default, the Advocate for the appellant appeared.

After hearing the learned Advocate for the appellant and going through the explanation given in the application, we are convinced that the appellant has made out a case for restoration of the appeal.

Hence, the following order:

The order passed on 6th December 2018 is recalled and the appeal is restored.

The Civil Application is **allowed** accordingly.

FAMILY COURT APPEAL NO.46/2017.

Shri A.B.Bambal, Advocate waives notice for the respondent.

CIVIL APPLN.NO.2099/2018.

For the reasons given in the application, the appellant is permitted to incorporate the proposed amendment as stated in the application.

The Civil Application is **allowed** accordingly.

JUDGE

JUDGE

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