

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

FAMILY COURT APPEAL NO. 124 OF 2018

Mr. Yogesh Mallikarjun Kalake	..Appellant.
Versus	
Sou. Shraddha Yogesh Kalake	..Respondent

Mr. Vishwanath Patil a/w. Kewal Ahya i/b. Sandeep Katke, for
Appellant.

CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATED : 24th FEBRUARY, 2020.

PC :

1. Today the matter is shown on production board pursuant to the praecipe dated 20/02/2020 filed by the learned advocate for the Appellant for speaking to minutes of order dated 07/02/2020.
2. Heard the learned Advocate for the Appellant.
3. Learned Advocate for the Appellant. submits that, in the order dated 07/02/2020, in the appearance there is spelling mistake in the first name of the advocate. It should be "Vishwanath" instead of "Vaishvanath" and "Kewal" instead of "Keval"
4. Considering this fact, following order is passed:
 - a) The order dated 07/02/2020 is corrected as under:

1. In the appearance, instead of “Vaishvanath” it be corrected as “Vishwanath” and instead of “Keval” it be corrected as “Kewal”
- b) Rest of the order remains as it is.
- c) The original order shall stand corrected accordingly.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)

CORRECTED ORDER DATED 07th FEBRUARY, 2020 READS THUS:

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Sou. Shraddha Yogesh Kalake	..Respondent

Mr. Vishwanath Patil a/w. Kewal Ahya i/b. Sandeep Katke, for Appellant.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATED : 07th FEBRUARY, 2020.**

PC :

1. Heard the learned counsel for the Appellant. Though the respondent is duly served, no one appeared on behalf of her when the matter was called out.

2. After arguing for some time, the learned counsel for the appellant submits that, he received an instruction from his client, who is present in the court, to withdraw the present Family Court Appeal with liberty to file a fresh Petition for divorce on fresh cause of action. To that effect, he has given in writing. The same is accepted and taken on record and marked 'X' for identification.

3. Considering this fact, following order is passed:

a) The Family Court Appeal stands dismissed as withdrawn with liberty to file a fresh Petition for divorce on a fresh cause of action.

b) If the Petition is filed for divorce then we expect the Family Court to decide the same as early as possible.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)
