

**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. Vaishvanath Patil a/w. Keval 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dismissed as withdrawn with liberty to file a fresh Petition for divorce on a fresh cause of action.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.)
