

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

FAMILY COURT APPEAL NO. 38 OF 2018

Babasingh Laxman Nahar Vs. Smt. Nirmala w/o Babasingh Nahar & Ors.

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

Court's or Judge's orders.

Mr.A.H. Matetwar, Advocate h/f Mr. A.K. Neware, Advocate for respondent.

CORAM : V.M. DESHPANDE AND
S.M. MODAK, JJ.
DATED : MARCH 03, 2020.

By this appeal appellant/husband challenges the judgment and order dated 19.07.2014 passed by learned Judge of the Family Court No.2, Nagpur in Petition No. C-14/2012 whereby the learned Judge of the Family Court allowed the petition filed by the respondents under the provisions of the Hindu Adoptions and Maintenance Act, 1956.

2. This appeal was admitted on 05.06.2018 and was pending for final decision.

3. On 12.02.2019, appellant filed a Pursis Stamp No. 2171/2019 under his signature. By filing said pursis, appellant Babasingh s/o Laxman Nahar submitted before this Court that he had entered into compromise with the respondents in Writ Petition No.6747/2017 and in view of the said compromise, the appellant desires to withdraw the appeal.

4. This appeal was called in the morning session. That time counsel for the appellant was not present though counsel for respondents was present. This Court, on the basis of the number which is mentioned in pursis i.e. Writ Petition No.6747/2017, asked Court Shireshtedar for placing the record and proceedings of the said writ petition in the afternoon session. Accordingly, the entire record of Writ Petition No.6747/2017 is placed before us. The said Writ Petition was disposed of by this Court (Coram : Z.A. Haq, J.) on 22.02.2019 in view of the compromise entered in between the parties to the said petition, who are parties of the present Family Court Appeal.

5. The joint compromise pursis filed in the said Writ Petition shows that it was agreed between the parties to withdraw the Family Court Appeal No.38/2018 (i.e. present Family Court Appeal).

6. In view of the aforesaid, the Family Court Appeal is disposed of as stands compromised between the parties in view of the pursis. No order as to costs.

CIVIL APPLICATION (CAO) NO. 2139 OF 2016

In view of disposal of appeal this application does not survive and stands disposed of accordingly.

JUDGE

JUDGE