



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 CIVIL APPLICATION NO. 9282 OF 2023
IN FCA/20/2022

RAHUL RAMAKANT KULKARNI

VERSUS

NEETA W/O RAHUL KULKARNI

...

Advocate for Applicant : Mr. Borde Kishorkumar B.

...

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 28.06.2024

PER COURT :

This is an application seeking restoration of the Family Court Appeal which has been dismissed in default for want of prosecution.

2. The respondent has been duly served.

3. As can be seen, the appeal was dismissed for non appearance of the appellant. The underlying theme being '*actus curiae neminem gravabit*', the applicant cannot be allowed to suffer for the lapse of his learned advocate. The application has been preferred in time.

4. The Application is allowed. The Family Court Appeal is restored.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-