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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2960 OF 2019

IN

FAMILY COURT APEPAL NO. 219 OF 2018

Rajesh Jeetlal Pushpjivee

.. Applicant/Appellant

Versus

Sonali Rajesh Pushpjivee

.. Respondent

Adv. Sandeep Mishra for the Applicant/Appellant.

**CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE: MARCH 15, 2024

P. C.

1. The above Interim Application is filed seeking a condonation of delay of 99 days and an order to restore the above Family Court Appeal which was dismissed for non removal of office objections pursuant to the order dated 6th August, 2019 passed by the Registrar (Judicial-II).

2. The papers and proceedings in above Interim Application as well as the Family Court Appeal have been duly served on the

Respondent as evidenced not only by the noting on the board but also by the affidavit of service filed by the Appellant/Applicant. Despite this, none had appeared on behalf of the Respondent.

3. Considering the averments made in the Interim Application and which are not controverted, we condone the delay and set aside the order dated 6th August, 2019 and restore the above Family Court Appeal on file.

4. We direct that the papers and proceedings in the above Family Court Appeal shall be served on the Respondent once again along with a copy of this order.

5. The above Interim Application is disposed of in the aforesaid terms. No order as to costs.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN,J.]

[B. P. COLABAWALLA, J.]