

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

**CIVIL APPLICATION NO. 296 OF 2014
IN
FAMILY COURT APPEAL (ST.) NO.21508 OF 2014**

Prasad Shashikant Dani	.. Applicant
v/s.	
Mrs. Smita W/o. Prasad Dani	..Respondent

Mr. Amit M. Shete for the applicant
Mr. S.V. Gavand for the respondent

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED: 10th JULY, 2015.**

P.C.

1. Heard learned Counsel for the respective parties.
2. This civil application is filed for condonation of 284 days delay in filing above Family Court Appeal. In paragraph 6, the applicant has stated that the settlement talks between the parties were going on and, therefore, he could not file the appeal earlier.
3. Learned Counsel for the respondent opposes the application contending that there were no settlement talks and the Court had

referred the parties for mediation.

4. Considering the fact that the appeal arises out of matrimonial dispute between the parties, we are of the opinion that the same deserves to be adjudicated on merits. However, considering the extent of the delay, the applicant deserves to be saddled with the cost.

5. Accordingly, the Civil Application is allowed in terms of prayer clause (b). The delay of 284 days occurred in filing the above appeal is condoned, subject to applicant to pay cost of Rs.10,000/- to the respondent within a period of two weeks from today.

6. Registry is directed to number the appeal and place it for admission after two weeks.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)