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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION******CIVIL APPLICATION No. 197 OF 2015******IN******FAMILY COURT APPEAL (ST) No. 14368 OF 2015******IN******CIVIL APPLICATION No. 198 OF 2015******IN******FAMILY COURT APPEAL (ST) No. 14368 OF 2015******Mr. Alpesh Pravin Upadhyay******....Appellant/Applicant******Vs.******Mrs. Tejal Alpesh Upadhyay******....Respondent***

Mr. Yogesh Katira i/b. Mr. Sanjay P. Shinde for Appellant /Applicant
None for the Respondent

CORAM : V. M. KANADE &***SMT. SWAPNA S. JOSHI, JJ******DATE : SEPTEMBER 16, 2016*****P.C. :**

1. Heard the learned counsel appearing on behalf of the Appellant.
None appears on behalf of the Respondent.
2. For the reasons stated in paragraph Nos.3 and 4 of the Civil Application No. 197 of 2015, filed for condonation of delay of four months caused in filing the appeal, is condoned. Civil Application is

allowed and disposed of in terms of prayer clause (a).

2. Heard. Admit (in FCA (ST) No.14368 of 2015.

3. We are informed by the learned counsel for the Appellant that the copy of the civil application for condonation of delay has not been served earlier on the Respondent Wife. It is an admitted position that the Respondent wife has not filed any application for execution of the impugned order. In the event, the Respondent files an application for execution of the order, liberty is granted to the Appellant to apply for stay.

SWAPNA S. JOSHI, J.

V.M. KANADE, J.