

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

**CIVIL APPLICATION NO.151 OF 2016
IN
FAMILY COURT APPEAL (ST) NO.14569 OF 2016**

Mrs.Purva Anant Phenany Applicant

versus

Mr.Anant Devidas Phenany ... Respondent

Mr.T.M. Sagari i/b. Mr.Nitin P. Dalvi for the Applicant.

**CORAM : A.S.OKA & A.M.BADAR, JJ.
DATE : 25th NOVEMBER, 2016.**

P.C. :

1. Heard learned counsel for the applicant and respondent appearing in person. Applicant wife filed a petition for divorce under the Hindu Marriage Act, 1955. By the impugned decree, said petition has been dismissed. There is a delay of 124 days in filing the appeal. Apart from averments made in the application explaining the delay, it is well settled that while dealing with an application for condonation of delay, the Court has to adopt a liberal and justice oriented approach. The opposition of the respondent is mainly on the ground of merits of the appeal, which can be considered when appeal is dealt with on merits.

2. Sufficient cause is made out for condoning the delay.
3. Rule is made absolute in terms of prayer clause (a).
4. Place the Appeal under the caption of “Admission” as per CMIS date.

(A.M. BADAR, J.)

(A.S. OKA, J.)