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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.263 OF 2014
IN
FAMILY COURT APPEAL (ST.) NO.19256 OF 2014

Dr. Aditi Shailesh Deshpande	... Applicant
Vs.	
Dr. Shailesh Ramchandra Deshpande	... Respondent

Mr. Vilas Babanrao Tapkir for the Applicant.

CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.

DATE : 16th NOVEMBER, 2016

PC.

1 This is an application for condonation of delay filed by the Applicant – wife in preferring an Appeal against the Judgment and Order dated 1st March, 2014 passed by the learned Judge of the Family Court at Pune in a Petition for seeking access to meet her minor child. It was filed under Section 7(1)(g) of the Family Courts Act, 1984. By the impugned order, the said Petition has been rejected. The prayer for access was in relation to the male child by the name Kshitij born on 2nd March, 1996. Now Kshitij has attained majority on 2nd March, 2014. Moreover, the matrimonial dispute between the Applicant and the Respondent has come to an end by virtue of an overall settlement which

has been recorded in Family Court Appeal No.4 of 2008 along with Family Court Appeal No.31 of 2008. All disputes between the Applicant and the Respondent have been settled and their marriage has been dissolved by passing a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955.

2 As the son has attained majority, the dispute in the Appeal is academic now. Moreover, the matrimonial dispute has been completely settled.

3 The learned counsel appearing for the Applicant invited our attention to the observations made in paragraphs 18, 21 and 22 of the impugned judgment.

4 It is the matrimonial dispute between the Applicant and Respondent which led to the dispute over access to meet the minor child. Now, there is a complete settlement of the matrimonial dispute. After having perused the impugned judgment, we find that none of the findings recorded therein can be treated as adverse to the applicant. The observations made in the impugned order are in the context of ongoing dispute between the Applicant – wife and the Respondent – husband. Now that the matrimonial dispute is completely settled, no

purpose will be served by entertaining the application for condonation of delay and the Appeal.

5 Subject to what is observed above, application is disposed of. In view of disposal of application, Family Court Appeal does not survive and the same is disposed of.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)