

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 198 OF 2016

IN

FAMILY COURT APPEAL (st) NO.19313 OF 2016

WITH

CIVIL APPLICATION NO.199 OF 2016

IN

FAMILY COURT APPEAL (ST) NO.19313 OF 2016

Mr. Vivek Kumar Ashok Kumar
Mishra

...Applicant

Versus

Mrs. Meena Vivek Kumar Mishra

...Respondent

...

Ms Priya Mishra and Mr. Sandeep Singh for the Applicant/Appellant.
Mr. Santosh Pandey for the Respondent.

CORAM : A.S. OKA &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 13th DECEMBER, 2016.

P. C. :

This is an application for condonation of delay in preferring appeal against the order dated 27th March, 2015 passed by the Family Court. We have perused the order impugned in the appeal. It is an interim order passed under section 24 of the Hindu Marriage Act, 1955. Therefore, in view of sub section 1 of the section 19 of the

Family Court Act, 1984 an appeal against the said order is not maintainable. Hence, a Family Court Appeal against the order dated 27th March, 2015 is not maintainable and is disposed of.

2. Accordingly Civil Application No.198 of 2016 for condonation of delay in preferring the Family Court Appeal is disposed of.

3. In view of the above, Civil Application No.199 of 2016 does not survive and hence dispose of.

4. This order will not preclude the Appellant from filing the appropriate proceeding for challenging the impugned order.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)