

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CAO NO. 1430/2014 IN FIRST APPEAL ST. NO. 15789 OF 2014

(Rajendra s/o Sahebrao Sanap vs. Sau. Leena Rajendra Sanap)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
JANUARY 04, 2016.**

Heard Shri Girdekar, learned counsel for the
applicant/ appellant.

The prayer is to condone delay of 53 days in
filing Appeal under Section 19 of the Family Court Act.

The respondent – wife has been served and
chosen not to appear.

Shri Girdekar, learned counsel for the
applicant submits that as the applicant is a Bus Driver
and was away, he got knowledge belatedly. The
counsel representing him before the trial Court gave
him incorrect impression about the period of limitation
and hence there is a delay.

The reasons are supported by proper
affidavit. We, therefore, condone delay. However, the
same is subject to the applicant depositing an amount
of Rs.5,000/- (Rs. Five thousand only) with the Registry
of this Court, within a period of four weeks from today.
The amount is directed to be deposited to take care of
the cost awarded by the trial Court to the respondent –
wife. The request of the respondent – wife for
withdrawal of that amount shall be considered

independently on its own merits.

The registry to register First Appeal.

FIRST APPEAL ST NO. 15789 OF 2014

This Court has today condoned delay of 53 days in filing appeal.

Notice before admission, returnable on 22.02.2016.

Service through court as also by R.P.A.D. allowed.

JUDGE

JUDGE

*GS.