

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 12279 OF 2016
IN
FAMILY COURT APPEAL STAMP NO. 2320 OF 2016**

Balasaheb Deorao Wankhede .. Applicant

Versus

Ushatai Balasaheb Wankhede .. Respondent

Shri Ganesh P. Shinde, Advocate for the Applicant.
Shri Gopal D. Kale, Advocate for the Respondent No. 1.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 13TH JANUARY, 2017.

PER COURT :

. Heard the learned counsel for the applicant and the learned counsel for the non applicant No. 1. This is an application for condonation of delay. The delay is of 26 days. The same is counted considering the limitation for filing family court appeal as 30 days. The Full Bench of this Court in a case of **Shivram Dodanna Shetty Vs. Sharmila Shivram Shetty** reported in **2017 (1) Mh.L.J. 281** has held the limitation for filing such an appeal would be of 90 days. If the said period is calculated the appeal would be well within limitation.

2. In view of that, the civil application is allowed in terms of prayer clause "B". The civil application is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 17