

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

**CIVIL APPLICATION NO. 166 OF 2017
IN
FAMILY COURT APEAL STAMP NO. 38543 OF 2016**

Shaikh Yusuf Shaikh Usman .. Applicant

Versus

Farheen Yusuf Shaikh .. Respondent

Shri Shantaram R. Dheple, Advocate for the Petitioner.

Shri Rameez M. Shikh, Advocate for the Respondent.

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

DATE : 13TH JANUARY, 2017.

PER COURT :

. This is an application for condonation of delay of 17 days caused in filing the family court appeal. The said delay is computed by considering the period of limitation as 30 days.

2. In view of the judgment of 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*, limitation for filing family court appeal is provided as 90 days. As such, the appeal will have to be considered to have been filed within limitation.

3. In view of that, the civil application is allowed. The delay is condoned. The civil application is disposed of.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 17