

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 236 OF 2016
IN
FAMILY COURT APPEAL (ST) NO. 20176 OF 2016**

**Sonali Pravin Deore. ..Applicant
Vs.
Pravin Sahebrao Deore. ..Respondent**

Ms. Rukmini Khairnar, for the Applicant.

Mr. K.R. Asole, for the Respondent present.

**CORAM : R. M. SAVANT, J &
SMT.SADHANA S. JADHAV,J
DATE : 20th JUNE, 2017**

P.C.

1 The above Civil Application has been filed for condonation of delay of 242 days in filing the Family Court Appeal. The reasons therefor are mentioned in the paragraphs Nos. 2 to 6 of the Civil Application. The sum and substance of the reasons is that the Advocate for the Applicant had met with an accident in the month of March, 2015 for which he has to be hospitalized and thereafter he was advised complete bed rest from 25/3/2015 to 25/9/2015. During this period, the Applicant was not aware of the status of the proceedings which were going on in the Family Court, Nashik. The Applicant was not aware of the fact that the matter was directed to be proceeded ex parte against her as her Advocate has failed to appear before the

Family Court, Nashik.

2 The learned Counsel appearing on behalf of the Respondent opposed the Application and it is his submission that the said reasons mentioned in the above Civil Application do not constitute sufficient cause.

3 Having heard the learned Counsel for the parties and having considered the reasons mentioned in paragraph Nos. 2 to 6 of the Civil Application, in our view, the reasons mentioned in the said paragraphs can be said to be the plausible reasons on account of which the delay in filing the above Family Court Appeal has occurred. We are of the view that the Applicant/Appellant should be granted a final indulgence to prosecute the Family Court Appeal on merits and should not be thrown out on technicalities. The above Civil Application is accordingly, allowed. Resultantly, the delay of 242 days in filing the Family Court Appeal stands condoned. The above Civil Application is accordingly disposed of.

4 List the Family Court Appeal for admission on 18/7/2017.

[SMT.SADHANA S. JADHAV,J]

[R.M.SAVANT, J]