

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6811 OF 2017
IN
FAMILY COURT APPEAL STAMP NO.467 OF 2017

Priya Girish Salunke.

...Applicant

versus

Girish Ramesh Salunkhe.

...Respondent.

...

Mr. H.V.Tungar, Advocate, for applicant.

Mr. Prakash S.Paranjape, Advocate for sole respondent.

...

CORAM : SUNIL P. DESHMUKH & P.R. BORA, JJ.

Dated: January 17, 2018

...

PER COURT :-

1. Heard learned Counsel appearing for the parties.
2. Learned Counsel for the applicant refers to various events occurring in the litigation and also to that there had been mistake in quoting number of the matter, which had been pending in the Family Court and under the circumstances, in the interregnum, judgment in Petition No. A-522 of 2014 has been delivered. It is further being referred to that Advocate appearing for the applicant had not been keeping well, and had been suffering and thus, delay has been caused.
3. Learned Counsel Mr. P.S.Paranjape appearing for respondent, however, purports to submit that the reasons

assigned for delay may not be proper, for, the matter had not been prosecuted diligently before the Family Court and the application has been moved with a view to harass and vex respondent in whose favour decree of judicial separation has been granted and with a view to frustrate further proceedings based upon the decree, this strategy of moving the High Court has been undertaken.

4. Although, learned Counsel Mr.P.S.Paranjape contends as aforesaid, the sequence of events as has been referred to does not appear to be disputable. While the delay is sought to be substantiated by giving some reasons, and Courts are supposed to be liberal while considering the applications for condonation of delay, we consider it expedient to grant the application subject to some costs.

5. In the circumstances, the application is allowed subject to costs of Rs. 5000/- to be deposited by the applicant in the Court for withdrawal by the respondent. Costs be deposited within a period of three weeks from today.

6. Civil Application is allowed and disposed of. Interim relief, if any, to continue.

(P.R. BORA)
JUDGE

(SUNIL P. DESHMUKH)
JUDGE

agp/