

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.71/2018
IN
FAMILY COURT APPEAL (ST) NO.3590/2018

Manisha Nitin Sonkamble ... Applicant

V/s.

Nitin Namdeo Sonkamble ... Respondent

Mr. S. P. Rajepandhare for the Applicant

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : JULY 4, 2018

P.C. :

1 Heard. The learned counsel for the Applicant submits that the Respondent is duly served by registered post. He relies on the Affidavit of service dated 12.04.2018.

2 In spite of service none appeared for the Respondent.

3 By this Civil Application the Applicant is seeking to condone the delay of 89 days in preferring the appeal challenging the judgment and decree dated 07.08.2017 passed by the Family Court, Solapur in Petition No.A-163/2016 dismissing the Applicant's petition u/s.13(1) (ia) and (ib) of the Hindu Marriage Act, 1955 for dissolution of marriage by decree of divorce.

4 Considering the submissions made by the learned counsel for the Applicant and as the Respondent has failed and neglected to remain present in spite of service, we are satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

a) Civil Application is allowed in terms of prayer clause (a) which reads thus:

(a) This Hon'ble Court may be pleased to condone delay of 89 days and be pleased to direct the office to register the above Family Court Appeal.

b) Civil application stands disposed off accordingly.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)