

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

**CIVIL APPLICATION NO.67 OF 2018
IN
FAMILY COURT APPEAL ((ST)) NO.4153 OF 2018**

Smt Priya Atul Gonel	... Applicant
v/s	
Mr Atul Arun Gonel	... Respondent

Mr S.N. Biradar i/b Ms Sangita S. Survase for Applicant.
Mr R.V. Panchundkar for Respondent.

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

DATE : 26 February, 2018.

P.C. :-

1. Heard learned counsel for the parties.
2. The learned counsel for Respondent – husband vehemently opposed the present Civil Application without filing the reply.
3. This Civil Application is preferred by wife for condonation of five days' delay in filing Family Court Appeal challenging the judgment and decree dated 31st October 2017 passed by the Family

Court, Pune in P.A. No.405 of 2015 allowing the Respondent – husband's application for divorce under section 13(1)(1a) of the Hindu Marriage Act 1955.

3. Considering the submission made by the leaned counsel for the Applicant and averments made in Civil Application, we are satisfied that the Applicant has made out her case regarding delay in preferring Family Court Appeal. Hence following order :-

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

(a) this Hon'ble Court may please to condone the delay of 5 days for filing the Family Court Appeal (Stamp) No.4153 of 2018;”

(b) The Registry is directed to place the Family Court Appeal for admission on 12th March 2018.

(c) Mr Pachundkar, learned counsel appearing for Respondent waives service in Family Court Appeal.

(d) Civil Application stands disposed off accordingly.”

(B.P. COLABAWALLA, J)

(K.K. TATED, J.)