

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

**CIVIL APPLICATION NO.205 OF 2018
IN
FAMILY COURT APPEAL (ST) NO.27844 OF 2015**

Vansanti Hemant Nikam .. Applicant

V/s.

Hemant Eknath Nikam .. Respondent

Mr.Rakesh Gupta i/b Mr.S. B.Legal for the applicant

**CORAM: K.K. TATED &
N. J. JAMADAR, JJ.**

DATED : NOVEMBER 19, 2018

P.C. :

1 Heard the learned counsel for the Applicant.

2 Though Respondent is duly served, no one appeared on behalf of him when the matter was called out.

3 By this Civil Application, Applicant wife is seeking condonation of 21 days delay in filing the Civil Application to set aside the order dated 13.10.2016 passed by the learned Registrar and restore the Civil Application No.353 of 2015 along with Family Court Appeal (ST) No.27844 of 2015 for hearing on its own merits.

4 Considering the submissions made by the learned counsel

for the Applicant and the averments made in the Application, we are satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay in preferring the Civil Application is condoned.
- b) Order dated 13.10.2015 passed by learned Registrar is set aside.
- c) Civil Application No.353 of 2015 along with Family Court Appeal (ST) No.27844 of 2015 is restored on file for hearing on its own merits.
- d) Registry is directed to place Civil Application No.353 of 2015 on board for hearing on 30.11.2018.
- e) Civil application stands disposed of accordingly.

(N. J. JAMADAR, J)

(K.K. TATED, J.)