

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 10245 OF 2019  
IN FCAST/23133/2019  
PRASHANT GOVINDRAO PATIL  
VERSUS  
SANJIVANI PRASHANT PATIL  
WITH  
FAMILY COURT APPEAL NO.71 OF 2018  
WITH CA/14198/2018 IN FCA/71/2018 WITH CA/14191/2018 IN  
FCA/71/2018 WITH FCA/70/2018 WITH CA/10246/2019 IN  
FCAST/23133/2019**

Mr. M.D. Narwadkar, Advocate for applicant.

Mr. S.R. Bagal h/f. Mr. M.V. Ghatge, Advocate for respondent.

**CORAM : SUNIL P.DESHMUKH &  
S.M.GAVHANE,JJ.**

**DATED : 05.09.2019**

**P.C. :-**

1. Learned counsel for applicant purports to submit that for the reasons as would appear in application, delay has occurred. However, learned counsel Mr. Bagal appearing for respondent purports to refer to various events taking place after institution of appeal by respondent in this appeal and submits that reasons given in the application would not be said to be justifiable and may not constitute sufficient cause. Though learned counsel for respondent purports to oppose, learned counsel for applicant refers to that first appeal filed by wife is yet not formally admitted and in the circumstances, looking at provisions under order 41 rules 22 and 33, matter can be given a treatment accordingly. In the circumstances having regard to the situation, we deem it appropriate in the interest of justice to allow application, subject to payment of costs of

Rs.5000/- (Rupees Five Thousand). Costs be deposited in this court within a period of two weeks from today to be withdrawn by respondent in the application.

2. Civil application is, accordingly, disposed of.

3. Post all the matters on 26.09.2019.

**[S.M.GAVHANE,J.]**

**[SUNIL P.DESHMUKH,J.]**