

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CIVIL APPLICATION NO.42 OF 2019  
IN  
FAMILY COURT APPEAL (ST) NO.29454 OF 2017**

|                         |     |            |
|-------------------------|-----|------------|
| Pravin Ramchandra Kadam | ... | Applicant  |
| versus                  |     |            |
| Prerna Pravin Kadam     | ... | Respondent |

Mr. Tushar Sonawane, for Applicant.  
Ms. Meghna Gowlani, for Respondent.

**CORAM: AKIL KURESHI &  
S.J. KATHAWALLA, JJ.**

**DATE: 26<sup>th</sup> JULY, 2019**

**P.C.:**

1. The Civil Application is filed by the Appellant-husband seeking condonation of delay in filing the Family Court Appeal. The Family Court Appeal is directed against the judgment of the Family Court granting a decree of dissolution of marriage to the Respondent-wife. Though the delay stated in the Civil Application is of 371 days, upon hearing the Advocates for the parties, we notice that such delay is much shorter. The Applicant has stated in his Application and it is borne out from the certified copy of the judgment of the Family Court that the impugned judgment was rendered on 7<sup>th</sup> July, 2016. The Applicant applied for certified copy thereof on 30<sup>th</sup> August, 2016. Certified copy was ready for delivery on 30<sup>th</sup> June, 2017 and also collected on the same day. It is perhaps because the period of limitation for filing the

appeal is calculated as 30 days, the Applicant has not claimed benefit of the entire period during which his Application for being provided certified copy remained pending before the Family Court from 30<sup>th</sup> August, 2016 to 30<sup>th</sup> June, 2017.

2. Be that as it may, the bulk of the delay if at all can be attributed to delay in preparation of the certified copy of the judgment. The rest of the period is not significant. Considering such factors, delay is condoned. We record the statement of the Respondent filed on Affidavit that after waiting for the Appeal period, she has got remarried. The effect of such development on the outcome of the Appeal will be judged independently. The Civil Application is accordingly disposed of.

**( S.J.KATHAWALLA, J. )**

**( AKIL KURESHI, J. )**