

HIGH COURT OF CHHATTISGARH, BILASPUR**FA(MAT) No. 57 of 2019**

- Smt. Karuna Yadu W/o Pradeep Yadu Aged About 33 Years R/o Rudri Basti, Tahsil And District Dhamtari, Chhattisgarh. Present Address- Father Of Shri Krishna Yadav, Pachripara Durg, Tahsil And District- Durg, Chhattisgarh

---- Appellant**Versus**

- Pradeep Yadu S/o Bharat Lal Yadu Aged About 38 Years R/o Rudri Basti, Tahsil And District Dhamtari, Chhattisgarh

--- Respondent

For Appellant	:	Mr. Tarun Dansena, Advocate.
For Respondent	:	Mr. Sumit Shrivastava, Advocate.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****16/03/2020**

1. Heard on application (I.A. No.1) for condonation of delay in filing the appeal.
2. This appeal is barred by 443 days. Apart from unsatisfactory explanation of long delay, we also find that the challenge is laid to the decree of divorce which was passed on the basis of mutual consent between the parties under Section 13 (B) of the Hindu Marriage Act. Further perusal of the order shows that decree has been passed in view of certain agreed terms and conditions between the parties. Now appellant in this appeal is seeking to dispute those terms and conditions. If the appellant's case is that the appellant had not agreed for certain terms and conditions or that the consent given by the appellant was not voluntary but an outcome of pressure, undue influence, misrepresentation or coercion, the appellant's remedy lies in moving an appropriate application for review or application under Section 151 CPC.
3. Subject to the said observation, this appeal is dismissed as barred by limitation.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge