

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO.184 OF 2018

IN

FIRST APPEAL ST. NO.5252 OF 2017

[Sulbha Shrikrushna Gawande and Anr. **..Vrs..** Suresh Deoraoji
Kasare and Ors.]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
order and Registrar's orders.*

Court's or Judge's

Ms. A. Sharma, Advocate h/f Shri. P. R. Agrawal, Advocate for
Applicants/Appellants
Shri. D. I. Dipwani, Advocate h/f Shri. H. N. Verma, Advocate for
Respondent No.3.

CORAM : **NITIN W. SAMBRE, J.**
DATE : **15th SEPTEMBER, 2021.**

1. There is a delay of 16 days caused in preferring present Appeal.
2. For the reasons disclosed in the Application, the delay of 16 days stands condoned.
3. The Application is allowed and is disposed of.

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4. The submissions are, though sufficient evidence in the form of Exh-33 to 37 was brought on record justifying the higher income, the Tribunal has erred in considering notional income of Rs.6,000/- per month.
5. In that view of the matter, **Admit.**
6. Shri. D. I. Dipwani, learned Counsel waives for for Respondent No.3.

(NITIN W. SAMBRE, J.)