

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CIVIL APPLICATION (CAO) NO. 416 OF 2021**  
**AND**  
**CIVIL APPLICATION (CAO) NO. 418 OF 2021**  
**IN**  
**FAMILY COURT APPEAL (STAMP) NO. 9486 OF 2020**

Sau. Renu W/o Tushar Bawankar (Renu D/o Bhalchandra Kathale) and Anr.,  
..VS..

Shri Tushar S/o Vinayakrao Bawankar,

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

Court's or Judge's orders

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Shri D. A. Mohgaonkar, Advocate for applicants.

**CORAM : SUNIL B. SHUKRE AND**  
**ANIL S. KILOR, JJ.**

**DATED : 16.07.2021**

Hearing is conducted through Video Conferencing and all the learned Advocates agreed that the audio and video quality was proper.

2. Heard Shri Mohgaonkar, learned counsel for the applicants in Civil Application No.416 of 2021 and also in Civil Application No. 418 of 2021.

3. Civil Application No.416 of 2021 has been filed for condonation of delay occurred in filing of an appeal against the decree of divorce and maintenance passed by the Family Court. In the proposed appeal, the decree of divorce is not challenged but, the decree relating to grant of maintenance has been challenged on the ground that quantum of maintenance fixed by the Family Court is inadequate.

4. Now, even before Civil Application No.416 of 2021 could be taken up for hearing, there has been an out of Court settlement amicably reached between the applicants and the non-applicant, who is former husband of applicant No.1. This settlement has been reduced into writing. Its copy is annexed to the C.A. No. 418 of 2021. This Civil Application has been filed by the applicants seeking leave of the Court to withdraw the Family Court appeal bearing Stamp No.9486 of 2020.

5. Learned counsel for the applicants submits that the terms of the settlement as recorded in Memorandum of Understanding dated 16.06.2021, which, as submitted by learned counsel for the applicants, has been actually entered into between the parties on 13.06.2021 and the date of 16.06.2021 mentioned on the first page of the Memorandum of Understanding is wrong and a typographical error.

6. Considering the submissions made before us and the reasons given in the application No.418 of 2021, we grant leave to the applicants to withdraw the Civil Application No.416 of 2021 and draft appeal bearing Stamp No. 9486 of 2020. Disposed of as withdrawn.

All applications stand disposed of.

JUDGE

JUDGE