

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

CIVIL APPLICATION (O) NO. 194 OF 2020

IN

FCA ST. NO.24378 OF 2019

MIRZA NAZIYA MIRZA SHAKIL

VERSUS

MIRZA SHAKIL BAIL S/O MIRZA RAHIM BAIG

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

Court's or Judge's orders

Shri Sanket Bhalerao, Advocate for applicant /appellant.

CORAM : A.S. CHANDURKAR AND G. A. SANAP, JJ.

DATE : 05/08/2021.

The respondent is duly served. The respondent is not present.

This application has been made by the applicant/appellant for condonation of 216 days delay caused in filing the appeal against the order passed by the Family Court, Akola dated 20/03/2019. The applicant has mentioned the reasons in the application for delay in filing the appeal. The Family Court has granted decree for restitution of conjugal rights.

As the respondent failed to appear before the Court, the submissions made in the application have gone uncontroverted.

On going through the application, we are convinced that this is a fit case to condone the delay. Accordingly, application is allowed. Delay caused in filing the appeal against

the impugned order dated 20/03/2019 passed by the Family Court, Akola is condoned.

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Heard.

Admit.

The respondent be served within three weeks.

Call for Record and Proceedings.

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Issue notice to the respondent, returnable in three weeks.

Ad-interim stay in terms of prayer clause-b is granted, until further orders.

(G. A. SANAP, J.)

(A.S. CHANDURKAR, J.)