

Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 136 OF 2022**

Shri Santosh Jaganath Travase, son of Jaganath Travase, 37 years of age, married, Indian National, service, resident of House no.113, Arcar waddo, Curca Village, Tiswadi Taluka. ... Petitioner

Versus

Smt. Anita Anand Khutkar, Daughter of Anant Surya Khutkar, 29 years of age, Indian National, LIC Agent, Resident of Flat no. G-8, Vrindavan, Near Varando Do Mar Hotel, ... Respondent
Miramar, Panaji, Goa.

Ms. Karishma Betquecar, Advocate for the Petitioner.
Mr. P. Majdikar, Advocate for the Respondent.

CORAM: C. V. BHADANG, J
DATED: 25th April 2022

ORAL JUDGMENT

1. Rule made returnable forthwith. Learned Counsel for the respondent, waives service. Heard finally by consent of parties.
2. The parties are husband and wife. The respondent has filed Matrimonial Petition for dissolution of marriage. It appears that the Petitioner filed a written statement before the Trial Court on 20.12.2021. However, as the period for filing the written statement expired on 18.12.2021, by way of abundant caution, an application was filed for condonation of delay of one day. That application was filed on 15.01.2022, which has been rejected by the Trial Court on 04.03.2022, observing that the application is not annexed with the written statement.

3. A perusal of the roznama dated 30.11.2021 shows that the time for filing the written statement was extended till the prescribed period. However, the matter was taken up on board on 20.12.2021 on which date the Petitioner filed written statement, (Exhibit B-10).

4. In that view of the matter, the Petition is allowed. The impugned Order is hereby set aside. The application for condonation of delay is allowed. The written statement is taken on record as prayed.

5. Rule is made absolute in the aforesaid terms, with no order as to costs.

C. V. BHADANG, J

ANDREZA PEREIRA Digitally signed by ANDREZA PEREIRA
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