

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO. 75 OF 2022

IN

FIRST APPEAL NO.263 OF 2022-F

SADHNA NARVEKAR

... Applicant.

VS

SANJAY NARVEKAR

...Respondent.

Ms. G. Almeida, Advocate for the Applicant under Legal Aid Scheme.

Mr. A. Naik, Advocate for the Respondent.

CORAM: M. S. KARNIK, J.

DATED: 16th MARCH 2023

P.C.

1. Heard learned counsel for the applicant.
2. My attention is invited to the order dated 25.8.2022 passed by this Court which records the submissions of Mr. Naik that this appeal will not be maintainable before this Court, but, same may be maintainable before the District Court, considering the valuation of the suit.
3. The learned counsel for the petitioner submits that in the present appeal there is a delay of 750 days in filing the appeal.

4. The learned Counsel for the respondent opposed the request for condoning the delay, as according to him, sufficient cause has not been shown for condoning the gross delay of 750 days in filing the appeal.

5. I have gone through the application for condonation of delay.

6. In the present case, an exparte decree for divorce is under challenge by the applicant/wife. It is stated by her that the same came to her knowledge sometime in the month of September 2021. Thereafter she applied for documents of the proceedings. The applicant had approached the District Court Legal Aid Services Committee to challenge the decree when it was brought to her notice that proceedings were required to be filed before the High Court

7. Considering that the present application is by the wife of the respondent, who was not represented in the trial Court, and for the reasons stated in the application, and in the interest of justice, the delay needs to be condoned and it is accordingly condoned. Misc. Civil Application stands disposed of.

8. List the First Appeal on 23.3.2023. High on board.

M. S. KARNIK, J.

VINITA VIKAS NAIK Digitally signed by VINITA VIKAS NAIK
Date: 2023.03.17 16:37:03 +05'30'