

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 19864 OF 2022
IN
FAMILY COURT APPEAL NO. 45 OF 2020

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Date: 2023.12.08
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Trupti Shashank Erandole Alias
Trupti Ramesh Borade

.. Applicant

Versus

Shashank Rajiv Erandole

.. Respondent

Mr. Tejas Kapre *for the Applicant.*

Mr. Nikhil G. Hire i/b. Prashant Hagare *for the Respondent.*

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : DECEMBER 08, 2023

P. C.

1. The above Interim Application is filed seeking to set aside the order dated 15th September, 2020 under which it was directed that the Appellant-wife shall file the private paper book within one year, failing which, the Family Court Appeal shall stand dismissed without further reference to the Court. Since the private paper book was not filed within the stipulated period, the same stood dismissed.

2. Having heard the learned Advocate appearing for the Appellant-wife as well as the learned Advocate appearing for the Respondent, we are satisfied and for the reasons stated in the above Interim Application, the same deserves to be allowed. In these circumstances, the Interim Application is allowed in terms of prayer clauses (a) and (b) which read thus:

“a. The Appeal be restored back to files by setting aside the auto-operative order clause b in the order dtd. 15.09.2020 and may be condoned the delay of 1 yrs 259 days in filing present Interim Application.

b. Applicant be allowed to file a paper book on record.”

3. The private paper book shall be filed by the Appellant-wife in the Registry within a period of one week from today.

4. The above Interim Application is accordingly disposed of. No order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]