

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO.15992 OF 2023****IN****FAMILY COURT APPEAL(ST)NO.25027 OF 2023**

Sonali P.Ahire

..Appellant(Orig.Respondent)

Versus

Prashant B. Ahire

..Respondent (Orig.Applicant)

Mr.Abhijeet Khade, i/b Abhishek Kulkarni,
Advocates for the Applicant.

Mr.Kiran Jadhav i/b Harshraj Jagtap, Alfiya Shaikh,
Advocates for the Respondent.

**CORAM : B. P. COLABAWALLA, J &
M. M. SATHAYE, JJ.****DATE : NOVEMBER 10, 2023****P.C.**

The above Interim Application is filed seeking a condonation of delay of 18 days in preferring the above Family Court Appeal. The judgment of the Family Court, and which is assailed in the present Family Court Appeal, is dated 18th May, 2023.

2 The learned counsel appearing on behalf of the Respondent Husband vehemently opposed the condonation of delay.

3 We have heard the learned counsel for the parties. we have also perused the above Interim Application. We find that there is justification for condonation of delay as more particularly set out in the application. In these circumstances, the above Interim Application is allowed and the delay of 18 days in preferring the present Appeal is condoned.

4 The Registry shall now proceed to number the above Appeal subject to any other objections being removed by the advocates for the Appellant Wife.

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

6 We make is clear that if the Appellant seeks a stay of the judgment and decree passed by the Family Court dated 18th May, 2023, she is free to file a separate Interim Application seeking stay of the said judgment. If such an application is filed, the same shall be decided on its own merits and in accordance with law.

7 We make it further clear that merely because we have condoned the delay, it should not be construed to mean that we have opined that the above Appeal is maintainable or otherwise.

8 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.

[M. M. SATHAYE, J.]

[B. P. COLABAWALLA, J].