
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 30135 OF 2022
IN
FAMILY COURT APPEAL (ST.) NO. 2527 OF 2022**

Praful Vinayak Gaidhani

.. Applicant

Versus

Rasika Prafulla Gaidhani

.. Respondent

Ms. Uma Kshirsagar-Wagle (through V.C.) i/b. Mr. Chetan Vishwakarma *for the Applicant.*

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.
DATE : NOVEMBER 30, 2023**

P. C.

1. The above Interim Application is filed seeking a condonation of delay in filing the above Family Court Appeal. In the above matter, it appears from the record that the Respondent-wife is not interested in appearing before this Court. We had in fact on 30th June, 2023 requested the learned Advocate for the Respondent to inform her client that she should remain present before this Court to see if an amicable solution can be reached. On 20th October, 2023, we were informed by the learned Advocate for the Respondent that he is not getting any instructions from the Respondent-wife

and for this reason he has also filed a discharge application before the Registry and which is pending. From the record, we find that the Respondent-wife has been duly served and despite that she has chosen not to appear before this Court. In these circumstances, and considering that what is stated in the Interim Application is not controverted, we allow the Interim Application in terms of prayer clause (a).

2. The Interim Application is disposed of in the aforesaid terms. No order as to costs.

3. Now that the delay is condoned, the Advocate for the Appellant-husband shall ensure that all office objections are removed and subject to the same, we place the above Family Court Appeal on board for admission on 15th December, 2023.

4. 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.]