

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

**INTERIM APPLICATION NO.1965 OF 2023
IN
FAMILY COURT APPEAL (L) NO.33226 OF 2022**

Pooja Shreyas Dhanawade .. Appellant/Applicant

Versus

Shreyas Shrikant Dhanawade .. Respondent

WITH

**INTERIM APPLICATION NO.1966 OF 2023
IN
FAMILY COURT APPEAL (L) NO.33226 OF 2022**

Pooja Shreyas Dhanawade .. Appellant/Applicant

Versus

Shreyas Shrikant Dhanawade .. Respondent

Mr. Manoj Patil, Advocate for the Applicant-Wife.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : DECEMBER 08, 2023

P. C.

1. By order dated 6th October, 2023 we had directed the Registry to issue notice to the Respondent returnable on 3rd November, 2023. In addition to the Court notice, the Appellant/Applicant was

permitted to serve the Respondent with the papers and proceedings of the above Family Court Appeal by private notice as well.

2. Today when the matter is called out an affidavit of service is placed on record evidencing the service on the Respondent. Despite service none have appeared on behalf of the Respondent and no affidavit-in-reply is also filed.

3. We have perused the above Interim Application which seeks to condone delay of 51 days in filing the above Appeal. Though the Office is of the opinion that there is no delay in the above matter, so that there is no dispute in the future regarding delay, we find that in any event case is made out for condoning the delay.

4. In these circumstances, the Interim Application is allowed in terms of prayer clause (a) which reads thus:-

"(a) This Hon'ble Court be pleased to allow the present interim application and to condone the delay of 51 days in filing the Family Court Appeal challenging the impugned judgment and order dt. 13/09/2022 passed by the Ld.Judge of Family Court, Sangli in Petition A No.344 of 2020 [H.M.P.No.658 of 2019]."

5. As the delay is now condoned, the above Family Court Appeal shall be numbered, subject to other office objections being removed, within a period of 4 weeks from today.

6. We further direct that the Respondent-Husband shall not remarry unless he has already remarried.

7. The Interim Applications are disposed of in the aforesaid terms. However, there shall be no order as to costs.

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.

[SOMASEKHAR SUNDARESAN, J.]

[B.P.COLABAWALLA, J.]