



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO. 12826 OF 2023
IN FCAST/4303/2022

SATYAJEET ARVIND KAMBLE
VERSUS
GAUTAMI SATYAJEET KAMBLE

...

Mr. T. M. Venjane, Advocate for Applicant.

Mr. M. S. Shaikh h/f Mr. S. S. Deshmukh, Advocate for the respondent.

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CORAM : MANGESH S. PATIL AND
SHAILESH P BRAHME, JJ.

DATE : 05 JULY 2024

ORDER :-

This is an application seeking restoration of the Family Court Appeal with the prayer for condonation of delay of 539 days in seeking restoration.

2. We have heard both the sides.

3. The applicant is the husband of the respondent and has preferred appeal against the judgment and order of the Family Court, Latur refusing to pass the divorce decree on a petition filed on the ground of cruelty and desertion.

4. The appeal was dismissed for default of the appellant/applicant in removing the office objections and there is a delay of 539 days.

4. For the reasons mentioned in the application and considering the nature of the litigation, the application is allowed. The delay is condoned and the appeal is restored, subject to the applicant/appellant paying cost of Rs.10,000/- to the respondent and with a further condition to remove the office objection within two weeks. The respondent shall be paid over the cost deposited by the applicant/appellant.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm