

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

**INTERIM APPLICATION NO.335 OF 2023
IN
FAMILY COURT APPEAL (L) NO.32448 OF 2022**

Milind s/o Jayavant Varkar Applicant

IN THE MATTER BETWEEN

Milind s/o Jayavant Varkar Appellant

Versus

Pushpa @ Suruchi Milind Varkar Respondent

Mr. Abhishek D. Nagode *i/b. Mr. Nitin Gaware Patil,*
Advocates for Appellant/Applicant.

Mr. R.B. Kulkarni, *Advocate for Respondent.*

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

DATE : FEBRUARY 02, 2024

P. C.

1. Mr. Kulkarni, the Learned Counsel appearing on behalf of the Respondent undertakes to file his Vakalatnama on behalf of the Respondent within a period of two weeks from today. The said undertaking is accepted.

2. The above Interim Application is filed seeking a condonation of delay in filing the above Family Court Appeal.

3. The Learned Counsel appearing on behalf of the Applicant/Appellant submitted that though according to the Applicant/Appellant, there is a delay of 43 days, the noting on the Board of the Registry shows that infact there is no delay. Considering these peculiar circumstances, out of abundant caution, we condone the delay, if any.

4. Now that the delay is condoned, the Registry shall proceed to number the above Appeal subject to the Appellant removing all other office objections within a period of four weeks from today, failing which the above Appeal shall stand dismissed without further reference to the Court.

5. The Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

6. 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.]

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