
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2595 OF 2020
IN
FAMILY COURT APPEAL NO.133 OF 2017

Shri. Raju Bhau Patil

...Applicant

Versus

Smt. Rajani Raju Patil

...Respondent

Mr. Ajay Das, *Advocate for Applicant.*

None present for Respondent.

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

DATE : FEBRUARY 16, 2024

P. C.

1. The above Interim Application is filed seeking a condonation of delay of 541 days in filing the above Family Court Appeal and to recall the Order dated 24th July, 2018 passed by the Registrar (Judicial-II), under which the Appellant was directed to supply the copy of the papers in the Family Court Appeal to the sole Respondent within a period of two weeks from that date, failing which the Appeal would stand dismissed.

2. The reason for the delay has been set out in Paragraph 4 of the Interim Application. From what is stated in the application, it appears that the delay has occurred not for any fault of the Applicant, but because of certain family commitments of his Advocate.

3. Though a Vakalatnama has been filed on behalf of the Respondent, none have appeared on their behalf today and no affidavit-in-reply is filed to the above Interim Application.

4. In these circumstances, for the reasons stated in the Interim Application, the same is allowed in terms of prayer clauses (b) and (c), which read thus:-

(b) That delay of 541 days in filing of the present application may be condoned in the interest of justice.

(c) This Hon'ble Court may kindly recall the Order dated 24/7/2018 passed by this Hon'ble Court (REGISTRAR JUDICIAL-II) and thereby, restore the present FAMILY COURT APPEAL.

5. The copy of the papers of the above Family Court Appeal shall be served on the Advocate for the Respondent within a period of four weeks from today, failing which the above Family Court Appeal shall stand dismissed without further reference to the Court.

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

7. 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.]