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

**INTERIM APPLICATION NO.1744 OF 2024
IN
FAMILY COURT APPEAL (ST) NO.354 OF 2024**

Mrs. Swarnali N. Mahimkar .. Applicant

Versus

Mr. Nitin S. Mahimkar .. Respondent

Ms Amani Khan, Advocate for Applicant.

Ms Namrata Sharma, Advocate for Respondent.

Mrs. Swarnali Mahimkar, Applicant-Wife appeared through VC.

Mr. Nitin Mahimkar, Respondent-Husband appeared through VC.

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

DATE : NOVEMBER 22, 2024

P. C.

1. The above Interim Application is filed seeking a condonation of delay of 90 days in filing the above Appeal.

2. In fact when the above Interim Application is called out, we are informed by the Learned Advocates appearing on behalf of the Appellant as

well as the Respondent that the parties in fact have reconciled their differences and are currently residing together. They, therefore, seek that the decree of divorce passed by the Family Court in favour of the husband, and which was passed ex-parte, be set aside. These facts were also confirmed by one of the party who appeared before us through video conferencing.

3. In these circumstances, the above Interim Application seeking a condonation of delay is hereby allowed and the delay in filing the above Appeal is condoned. In light of what has been stated by the Learned Advocates appearing on behalf of the Appellant and the Respondent, we place the above Family Court Appeal on Board on **29th November, 2024** under the caption for settlement in order to enable the parties to file consent terms.

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.]