

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 11298 OF 2024**

Smita Ninad Parte(Nee-Smita Suresh Tambe) ...Applicant
Versus
Ninad Eknath Parte ...Respondent

**WITH
INTERIM APPLICATION NO. 11299 OF 2024
IN
FAMILY COURT APPEAL(ST) NO. 20464 OF 2024**

Smita Ninad Parte(Nee-smita Suresh Tambe) ...Applicant
Versus
Ninad Eknath Parte ...Respondent

Adv. Anand N. Kate i/b R.D. Gorde, for the Appellant/Applicant.
Adv. Ulkesh Gangurde a/w Adv. Rohan Kharat, for the respondent.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 02 MAY 2025

P.C.:

1. This Interim Application seeks condonation of delay in filing the appeal. The delay is of 37 days.
2. Mr. Ulkesh Gangurde, learned counsel for the respondent would vehemently oppose the interim application. There is also no written opposition/reply place on record.
3. Having heard the learned counsel for the parties and having perused the averments as made in the application. We find that sufficient cause has been made out to condone the delay in filing the appeal.

4. The application is accordingly allowed in terms of prayer clause 'd'.
5. List the appeal for admission on **27 June 2025**, till the adjourned date of hearing, the impugned judgment and order dated 27 February 2024 passed by the 3rd Family Court, Mumbai shall remain stayed.
6. The parties to act on authenticated copy of this order.
7. After we pronounced this order for stay, the learned counsel for the appellant informed us that the respondent has remarried even before the appeal period could be over. In this view of the matter, we direct the respondent to place on record an affidavit furnishing all details of the remarriage, so that further appropriate orders in that regard can be passed.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]