

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAO) NO. 128 OF 2024
IN
FAMILY COURT APPEAL (ST.) NO. 18699 OF 2023

Vishnuprasad S/o. Girdhariprasad Mishra

.Vs.

Smt. Sunita W/o. Vishnuprasad Mishra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mrs Swati Paunikar, Advocate for the appellant
Mr S. S. Joshi, Advocate for the respondent

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.
DATED : MARCH 28, 2025.

Heard.

2. This is an application for condonation of 954 days delay caused in filing the appeal.

3. The appellant has explained the delay. The reason given is that the appellant had no knowledge about passing of the judgment and order dated 17.01.2019 dissolving the marriage between the appellant and respondent.

4. Learned counsel for the respondent strongly opposed the application on the ground that both are residing separately since year 2002 and this application for condonation of delay alongwith with the appeal came to be filed in the year 2023 i.e. after 21 years.

5. Considering the reasons stated in the application particularly, the fact that appellant had no knowledge about passing of such judgment and order, we are of the view that the application for condonation of delay needs to be allowed.

6. Accordingly, the civil application is **allowed**.

7. Delay of 954 days caused in filing the appeal stands condoned subject to payment of Rs.5000/- (Rupees Five Thousand Only) to respondent within two weeks.

8. The appeal be registered.

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9. Heard.

10. **ADMIT.**

11. Learned Advocate Mr S. S. Joshi waives service of notice on behalf of respondent.

12. Call for record and proceeding.

[PRAVIN S. PATIL, J]

[ANIL S. KILOR, J.]