

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 10061 OF 2025
IN
FAMILY COURT APPEAL (ST) NO.22981 OF 2025
WITH
INTERIM APPLICATION NO.10062 OF 2025
IN
FAMILY COURT APPEAL (ST) NO.22981 OF 2025

Smita Sushanth Shetty .. Applicant
Versus
Sushanth Suresh Shetty .. Respondent

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Adv. Sumit S Kate a/w Adv. Sonali Chavan for the Applicant.
Mr. Ajinkya Udane for respondent.

CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ
DATED : 23rd JANUARY, 2026

P.C:-

Interim Application No. 10061 of 2025

1 The Application seeks condonation of delay of 181 days in filing the Appeal challenging the decree for restitution of conjugal rights under the Special Marriage Act, 1954 in P. A. No. 973 of 2020 by the Family Court at Pune.

2 Heard the learned counsel for the applicant and perused the application seeking condonation of delay.

Ashish

With reference to the impugned judgment dated 4/01/2025, the applicant state that upon an application for certified copy being preferred on 16/5/2025, the copies are received on 28/05/2025.

For the belated application being made, it is the contention of the applicant that she was not aware of the pronouncement of the judgment and only when she gained knowledge about the same, she preferred an application.

Since we find that if the delay is not condoned, the substantial rights of the appellant shall be impacted and we do not find any malafides in the interim application.

3 Interim Application is made absolute in terms of its prayer clause.

By condoning the delay the Family Court Appeal is directed to be registered.

4 Mr. Ajinkya Udane waives notice on behalf of respondent.

At his request, we direct listing of the Appeal for further consideration on 6/03/2026.

(MANJUSHA DESHPANDE, J)

(BHARATI DANGRE, J.)