

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO.1002 OF 2024

IN

FAMILY COURT APPEAL STAMP NO. 10906 OF 2024

Shri. Punit S/o Sanjay Barmase

Vs.

Smt. Neelam W/o Punit Barmase

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.B. Gawali, Advocate for petitioner
Shri Y.R. Kinkhede, Advocate for respondent

**CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATED : 06.02.2026

Heard Shri Gawali, learned Counsel for the
applicant.

2. This is an application seeking condonation of delay in filing the Family Court Appeal. The delay is stated to be of 363 days. In paragraph Nos. 4 and 5, the Counsel for the appellant/applicant has stated that there was some miscommunication between the Counsel appearing before the Family Court and the Counsel appearing before this Court, as also that the mother of the appellant is suffering from some ailment. On being confronted, an additional affidavit is filed and the treatment papers of the mother, as also the reasons in detail are stated in the application.

3. The learned Counsel for the non-applicant while vehemently opposing the contentions advanced by the learned Counsel for the appellant, states that the reasons stated in the application cannot be good reasons for condoning a huge delay of 363 days. He submits that the application is vague in nature and no specific reason, date wise is spelt out in the said application. However, to advance the cause of justice, in our view, the delay is liable to be condone but putting some fetters on the appellant.

4. The delay is accordingly condoned, subject to payment of costs of Rs.10,000/- by the applicant to the non-applicant within two weeks from today. The Family Court Appeal to be registered and placed for admission.

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At the request of learned Counsel for both parties, the matter is referred to mediation.

2. The learned Advocate Shri J.J. Chandurkar is appointed as a Mediator to explore the possibility of settlement.

3. The parties to appear before the learned Mediator on 12.02.2026 at 2:00 p.m. at the mediation center and abide by further instructions.

(NANDESH S. DESHPANDE, J.) (SMT. M.S. JAWALKAR, J.)

Jayashree..