

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO. 11 OF 2022

Jay Vijay Waghmare .. Appellant
Versus
Mrs. Jyoti Jay Waghmare .. Respondent
...

Mr. Iqbal A Zarodarwala for the Appellant.

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

P.C:-

1 As the Record and Proceedings from the Family Court is already received in the year 2023, the Appeal is ready for hearing.

However, in absence of the respondent, the Appeal cannot be heard.

The counsel for the appellant, in presence of the appellant, makes a statement that though she is aware of the pendency of the Appeal, she is not marking her presence deliberately.

2 From the office remark, it can be seen that it is reported that the notice could not be served as the address is not complete.

3 On the date of hearing on 21/11/2025, the respondent's presence is marked through Mr. Sainath Baji i/b Mr. Ravi Dwivedi, when a direction was issued to list the Appeal for final hearing.

4 In order to afford one more opportunity to the respondent, we direct the Registry to notify the Advocate about the hearing of the Appeal on 20/02/2026, at 3:00 p.m.

In addition, we also issue fresh notice to the respondent, by making it returnable on 20/02/2026. In addition to which the notice is also permitted to be served through private mode of service.

We make it clear that despite service being effected, if the respondent fails to mark appearance, the Appeal shall be heard ex parte.

(MANJUSHA DESHPANDE, J)

(BHARATI DANGRE, J.)