

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.127 OF 2016
 IN
 FAMILY COURT APPEAL NO.102 OF 2014

Khusbhu Jagmohan Gupta	...	...Applicant
v/s.		
Jagmohan Jiyalal Gupta		...Respondent
...		
Mr.Ramchandra T.Shinde for the Applicant-wife.		
Mr.M.A.Khan for the Respondent-husband.		

...
CORAM : A.S.OKA &
A.A. SAYED, JJ.

DATED : 26 JULY 2016

P.C.:

Notwithstanding the direction issued by this Court on 22 June 2016, the Respondent-husband has not deposited the arrears payable as per the order dated 21 April 2014.

2. As per the order dated 21 April 2014, the amount of maintenance payable upto the end of July 2016 is Rs.2,14,000/-. Only by way of indulgence, we grant time of one month (till 25 August 2016) to the Respondent-husband to deposit a sum of Rs.2,14,000/- in the bank account of the Applicant.

3. The Application is disposed by the following order:

(i) We direct the Respondent-husband to deposit a sum of Rs.2,14,000/- in the Bank account of the Applicant on or before 25 August 2016 and to file an Affidavit of compliance on or before the said date.

(ii) We make it clear that on the failure of the Respondent-husband to file an Affidavit of compliance on or before 25 August 2016, the Family Court Appeal No.102 of 2014 filed by the Respondent-husband shall stand dismissed for non-prosecution in exercise of powers under Rule 11 Order XXXIX of the Code of Civil Procedure, 1908.

(iii) If the compliance is made by the Respondent-husband, Civil Application No.126 of 2016 shall be fixed for hearing on 31 August 2016.

(A.A. SAYED, J.)

(A.S.OKA, J.)