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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.1952 OF 2016
IN
WRIT PETITION NO.8517 OF 2014**

1. Pratiksha d/o Rajendra Sampate,
Age: 15 years, Occ: Education,
Minor, u/g of natural mother,
i.e. respondent No.2
2. Sow. Sarika w/o Rajendra Sampate,
Age: 36 years, Occ: Household,
Both R/o. Sham Nagar, Latur,
Dist. Latur. ..APPLICANTS

VERSUS

1. Pandurang s/o Mahada Sampate,
Age:73 years, Occ: Agri.,
R/o. Vedika Niwas, Surya Nagar,
Near Hajgude Hospital,
Old Renapur Naka, Latur
Tq. & Dist. Latur & ors ..RESPONDENTS

Mr Manish P. Tripathi, Advocate for applicants;
Mr M.S. Adate, Advocate for respondent Nos. 1 to 7
& 10

CORAM : NITIN W. SAMBRE, J.

DATE : 10th OCTOBER, 2017

ORAL ORDER :

This application is for extension of time
to deposit the court fees as ordered by this Court

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on 9th October, 2015.

2. It is the case of applicants that the amount was not deposited within time stipulated, as the applicants were facing financial hardship.

3. The claim is opposed by respondent Nos. 1 to 4. Respondent Nos. 3 and 4 have filed their reply to the application. Respondent No.3 is husband of applicant No.2 and father of applicant No.1, who claims that the maintenance amount of Rs.5000/- is already received by the applicants by attaching salary.

4. So far as respondent Nos. 1 and 2 are concerned, who are father in law and mother in law, they opposed the claim on the ground that the Court should not consider the equity in favour of the applicants, as the applicants are financially well off and have independent source of income apart from the amount of maintenance.

(3)

5. In my opinion, there is no material brought on record to demonstrate independent source of income of applicant No.2.

6. Applicant No.1 is minor daughter of respondent No.3.

7. Considering the aforesaid fact, by way of last chance, subject to payment of costs of Rs.1000/- before learned trial Court, to which respondents will be entitled, the applicants are permitted to deposit the court fees with requisite delayed charges, if any, by 6th November, 2017.

8. The arrangement is made only by way of last chance, with an understanding that no further request on whatsoever ground to deposit court fees will be entertained.

9. With above observations, civil application stands allowed.

(NITIN W. SAMBRE, J.)