

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.127 OF 2018
IN
FAMILY COURT APPEAL (ST) NO.12646 OF 2018**

Yogita Sandeep Garud	...	Applicant
versus		
Sandeep Sanjay Garud	...	Respondent

Mr. S. Yade i/by Mr. S.R.Ganabavale, for Applicant.
Ms. Krupali Salgaonkar i/by Ms. Suvarna Joshi, for Respondent.

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATE: 30th AUGUST, 2019

P.C.:

1. Civil Application No.126 of 2018 was filed by the Applicant-wife seeking condonation of delay in filing the Family Court Appeal (ST) No.12646 of 2018. On 20th December, 2018, learned Advocate for the Applicant seeks further time to file an additional affidavit in support of the Civil Application and makes a statement that the Applicant would pay cost of Rs.5,000/- to the Respondent or his Advocate. It was specifically provided in the said order that the said cost was to be paid on or before 20th December, 2018, failing which the Civil Application seeking condonation of delay shall stand dismissed without further reference to the Court.

2. Admittedly, till the the Applicant has not paid the said cost

of Rs.5,000/- to the Respondent or to his Advocate. Consequently, the Civil Application No.126 of 2018 stood dismissed on 20th December, 2018. In view thereof, the above Family Court Appeal and Civil Application does not survive and the same are accordingly dismissed.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)