

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 3687 OF 2021**

Smt.Padmaja Surendra Prabhu

... Petitioner

V/s.

Pravin Mahadeo Naik

... Respondent

Mr.Vaibhav V. Ugle for Petitioner.

Mr.Ravindra S. Pachund for Respondent.

CORAM : A.S. GADKARI, J.**DATE : 4th August 2021.****PC. :**

1. By the present Petition, the Petitioner had prayed for extension of time for payment of cost, as was directed by the Appellate Court by its impugned Order dated 16th January 2020. The Appellate Court had directed the Petitioner (Original Appellant) to deposit the cost of Rs.4,000/- within one week from the date of passing of the said Order.

2. Record indicates that, by an Order dated 4th February 2021, this Court had directed the Petitioner to deposit cost of Rs.10,000/- before this Court within stipulated period.

3. Learned Advocate for the Petitioner submitted that, the Petitioner has deposited the said cost of Rs.10,000/- by Cheque No. 683937 dated 5th February 2021 in the Registry of this Court. He on instructions submitted that,

the said Cheque has been honoured. The statement made by the learned Advocate for the Petitioner is accepted.

4. In view of payment of cost by the Petitioner, which is more than the cost imposed upon the Petitioner by the Appellate Court and as the Order dated 16th January 2020 has been complied with by the Petitioner, the delay in appeal is condoned.

Nothing survives in the present Petition and is accordingly disposed off as partly allowed.

[A.S. GADKARI, J.]

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