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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3904 OF 2024**

Anuradha Sandeep Bhosale ... Petitioner
vs.
Sandeep Vilas Bhosale ... Respondent

Ms. Manisha Devkar, for Petitioner.
Mr. Ganesh Bhujbal for Respondent.

**CORAM : GAURI GODSE, J.
DATED : 13th JUNE 2024**

P.C. :-

1. This petition takes an exception to the order dated 21st February 2024, rejecting the petitioner's application for extension of time to make payment of the cost of Rs. 2,000/-. The petitioner's application for leading additional evidence was allowed subject to payment of cost. Petitioner was unable to pay the cost, hence, she filed an application for extension of time. However, the application was rejected and as a consequence of non-payment of cost, the order allowing the application for permission to lead additional evidence was set aside and the application stood dismissed.

2. Learned counsel for the petitioner submits that this Court had permitted the petitioner to make payment of cost and as per the permission granted by this Court, the petitioner has deposited the amount of cost.

3. A perusal of the record indicates that the petitioner had immediately applied for extension of time to pay the cost. Thus, considering the reasons stated by the petitioner in the application for extension of time and compliance made by the petitioner as directed by this Court on 19th March 2024, I do not see any reason not to allow the petitioner to lead additional evidence as permitted by order dated 17th February 2024, by the Trial Court.

4. Hence, the petition is allowed in terms of prayer clauses (b) and (c) which reads as under:

“b. By way of appropriate writ be pleased to quash and set aside the impugned Order dated 21.02.2024 passed by Ld. Judge Family Court, Satara below Exh. 281 in A Petition No. 130 of 2019 thereby rejected the Application below Exh. 281 for extension of time to deposit amount of cost; in the interest of justice;

c. By way of appropriate writ be pleased to quash and set aside the impugned Order dated 21.02.2024 passed by Ld. Judge Family Court, Satara below Exh. 278 in A Petition No. 130 of 2019 thereby disposed of the Application below Exh.

278; further be pleased to confirm Order dated 17.02.2024 passed below Exh. 278 by granting time to deposit amount of cost in the interest of justice;"

(GAURI GODSE, J.)