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## FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
**CIVIL APPLICATION NO.172 OF 2015**  
**IN**  
**WRIT PETITION (ST) NO.26072 OF 2014**

|                                                                                                           |                           |
|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Vaibhav Krishna i/byJris Consillis for the Applicant  
Mr. Rajeev Narula a/w Mr.Rajeev pandey and Mr. Arun Shilwant i/by PRS Legal, for Respondent.

**CORAM: K. R. SHRIRAM, J.**

**DATED: JANUARY 21, 2015**

**P.C.**

Not on board. Mentioned.

2. Taken on today's board.
3. This application is taken out by the applicant to modify the order dated 23<sup>rd</sup> December, 2014 and permit the applicant to submit bank guarantee within a period of four weeks.
4. In paragraph Nos 3 and 4 of the order of 23<sup>rd</sup> December, 2014, this Court has recorded as under :

“3. After hearing both the sides at length, the learned counsel for the petitioner submits that petitioner is ready and willing to comply the order dated 28.11.2013 passed by this Court (Coram: R.G. Ketkar, J.) in Writ PetitionNo.10140 of 2013 on or before 30.01.2015 including depositing key with the Registry of this Court.

4. Statement is accepted”

5. In view thereof, in paragraph No.5, liberty was granted to the petitioner to deposit the entire amount upto date on or before 30.01.2015. It was also made clear that if the amount is deposited, respondent at present are not entitled to withdraw the same.

6. In the order dated 28<sup>th</sup> November, 2013, this Court had upheld the order of the competent authority, while dismissing the writ petition.

7. On 9<sup>th</sup> December, 2013, this Court clarified that the amount was to be deposited within four weeks from 9<sup>th</sup> December, 2013.

8. On 23<sup>rd</sup> December, 2014, the petitioner had given an undertaking to comply with the order of this Court, i.e. deposit on or before 30.01.2015. The amount was directed to be invested in the nationalized bank. Therefore, I see no reason in

granting petitioner's prayer to modify the order and permit them to furnish bank guarantee instead of depositing the amount.

9. Application is therefore rejected.

10. The Writ Petition be listed on 16<sup>th</sup> February, 2015 instead of 9<sup>th</sup> February, 2015 at the request of counsel for the Petitioner.

**(K. R. SHRIRAM, J.)**