

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.858/2015
IN
APPEAL FROM ORDER NO.704/2015

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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Ms. Shamali Hajeda with Sanskar Marathe i/b. H & M Legal Associates for the Applicant.
Ms. Sapna Rachure for Respondent No.1.
Mr. Satyam N. Vaishnawa i/b. M/s. M. N. Vaishnawa for the Respondent Nos.2 and 3.

CORAM : K. K. TATED, J.
DATE : JULY 7, 2015

P.C.:

1. Heard. This Application is preferred by Housing Development Finance Corporation for quashing and setting aside the order dated 22/11/2014 passed by the Bombay City Civil Court, Mumbai in Notice of Motion No.655/2014 in Suit No.7574/2003 directing the Applicant to comply with the undertaking given by them as per order dated 30/09/2005 i.e. to deposit sum of Rs.2,96,000/- along with 18% interest.

2. The learned counsel for the Applicant, after taking instructions from his clients makes a statement that they are ready and willing to

deposit the said amount in this court within 6 weeks from today. Statement is accepted.

3. Considering the submissions made by the learned counsel for the Applicant and the statement made by him, following order is passed:

a. The operation and implementation of the impugned order dated 22/11/2014 passed by the Bombay City Civil Court, Mumbai in Notice of Motion No.655/2014 in Suit No.7574/2003 is stayed subject to the Applicant depositing the entire amount in this court within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

b. If amount is deposited within stipulated time as stated hereinabove, the Respondent Nos.2 and 3 granted liberty to prefer an appropriate Application for withdrawal of the amount, if they so desire, which will be decided on its own merits.

c. Civil application stands disposed off accordingly.

JUDGE