

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6350 OF 2015

Ganesh Shantaram Sirur and
Anr.

Petitioners

Vs

State Bank of India

.. Respondent

Mr.Zaid Ansari , Advocate for Petitioners.
Mr.Nirav Shah, Advocate for Respondent.

CORAM : R.G.KETKAR,J.
DATE : 23/07/2015

PC:

1. Heard Mr. Zaid Ansari, learned counsel for the petitioners and Mr. Nirav Shah, learned counsel for the respondent at length. Rule. Mr. Shah waives service on behalf of the respondent. At the request and by consent of the parties, Rule is made returnable forthwith and Petition is taken up finally.

2. By this Petition under Article 227 of the Constitution of India, the petitioners have challenged the order dated 23.6.2015 passed by the learned trial Judge below Exhibit.8. By that order,the learned trial Judge rejected the application filed by the petitioners for extension of time to comply the order dated 2.3.2015.

3. In the order dated 15.7.2015 the statement made on behalf of the petitioners that they have deposited Rs.20,000/- in the trial Court on 8.7.2015 was recorded. Further statement that the

petitioners will deposit Rs.10,000/- in the trial Court on or before 22.7.2015 was also recorded. Mr Ansari states that the petitioners have deposited Rs.10,000/- in the trial Court on 20.7.2015. Mr. Shah does not dispute the deposits made by the petitioners. In view thereof, the impugned order dated 23.6.2015 is quashed and set aside and the time stipulated in the order dated 2.3.2015 is accordingly extended till today.

4. The respondent is permitted to withdraw the amount of Rs.30,000/- deposited by the petitioners in the trial Court unconditionally.

5. Rule is made absolute accordingly.

(R.G.KETKAR, J.)