

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3220 OF 2015
IN
WRIT PETITION NO. 5582 OF 2015**

Prabhodan Prakashan	...Petitioner
<i>Versus</i>	
State of Maharashtra & Ors.	...Respondents

Mr. Vachan Bodke, i/b Chitnis Vaithy & Co., for the Applicant.
Mr. V.S. Gokhale, AGP, for Respondent No. 1.
Mr. G.S. Hegde, for Respondent Nos. 2 and 3.

CORAM: A. S. OKA & G.S. PATEL, JJ.
DATED: 8th December 2015

PC:-

1. Not on board. Taken on board.

2. We have perused the order dated 3rd September 2015. Our attention is invited to the averments made in paragraph 4 of the application, which reads thus:

“4. The Applicant most respectfully states and submits that the Applicants have not committed any willful default and delay in complying with the orders of the Hon’ble Court and have infact in all earnest, attempted to accumulate the necessary amounts to be

deposited in the Hon'ble Court. But inspite of due and diligent efforts on the part of the Applicant there has been a delay in depositing the said amount in the Hon'ble Court. The Applicant had sought production of the papers and proceedings in the Writ Petition on 3rd December 2015, so as to seek extension of time for making the deposit on the ground that the cheque for the entire balance principal amount was ready and that the delay caused be condoned. The Hon'ble Court however, directed the Applicant to prefer a Civil Application for condonation of the delay caused."

(underline added)

3. The statement made in the Application that this Court directed the Applicant to prefer a Civil Application is completely false. As a false statement is made in the Application, we dismiss the Application.

(G. S. PATEL, J.)

(A. S. OKA, J.)