

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CIVIL APPLICATION (CAF) NO. 1763 OF 2014

IN

FIRST APPEAL NO.588 OF 2014

(Deepa Daulat Patil (dead) through LRs and others ..vs.. Krushnakumar Madanlal Sharma and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 25-02-2015

Shri A.V. Bhide, the learned Advocate for the applicants and Shri A.D. Bhate, the learned Advocate for the non-applicants.

As per the impugned judgment and decree, the non-applicants were required to deposit the balance amount within three months from the date of the judgment i.e. from 05-05-2014. Shri A.D. Bhate, the learned Advocate for the non-applicants submits that the non-applicants have not deposited the amount within the stipulated time. In view of this, I am satisfied that the applicants have made out *prima facie* case for grant of *ad interim* order.

There shall be *ad interim* order in terms of prayer clause of the civil application, however on condition that the applicants shall deposit Rs.8,00,000/- with the Registry of this Court, till 30-06-2015.

It the amount is not deposited by the applicants within the stipulated time, the interim order shall stand vacated and the non-applicants will be at liberty to proceed with the execution.

If the amount is deposited by the applicants within the stipulated time, it shall be kept in fixed deposit in a Nationalised Bank initially for a period of three years, to be renewed every year till the decision of the appeal.

The civil application is allowed in the above terms.

JUDGE

pma