

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1991 OF 2016**

in

FIRST APPEAL NO.1111 OF 2014

M/s New Bharat Traders & ors .. Applicants

VS

Chaudhary Abdul Majid Shahadat .. Respondent

Mr.V.R.Tripathi for Applicants

Mr.Jayesh Bhatt for Respondent

CORAM: G.S.KULKARNI, J

DATE: 30 NOVEMBER 2016

P.C.

1. Heard learned counsel for the applicants and learned counsel for the respondent.

2. By an order dated 4.5.2016 this Court had recorded that the applicants are desirous to comply with the order of the Court and because there are certain financial difficulties they require a longer time to deposit the decretal amount. A statement was made on behalf of the applicants that the applicants shall deposit Rs.13,00,000/- in this Court on or before 5.8.2016 and that the applicants shall make arrangement for depositing of the balance amount in the next three months. Despite this order, the amount was not deposited. Today, learned counsel for the applicants makes a statement that the financial difficulties of the applicants persists. He states that he has instructions to make a statement that the applicants shall deposit initially Rs.5,00,000/- within two weeks from

today. He submits that a demand draft in that regard is ready with his client, however, as the applicants are not available in Mumbai, the same cannot be immediately deposited. Statement is accepted.

3. Accordingly, the applicants are directed to deposit an amount of Rs.5,00,000/- within two weeks from today. As regards balance amount, learned counsel for the applicants submits that as a last chance, applicants be granted further time up to four months to deposit the balance amount.

4. Considering the submissions as urged on behalf of the applicants as a last chance, applicants are granted four months time to deposit the balance amount. However, this shall be subject to the condition that if the amount as directed is not deposited, the respondents would be free to execute the decree.

Civil Application is disposed of in above terms.

{G.S.KULKARNI, J}

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