

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2160 OF 2016
IN
WRIT PETITION NO.6989 OF 2016

ALONG WITH

WRIT PETITION NO.6989 OF 2016

Sunil Sudhakar Khot	 Applicant / Petitioner
V/s.	
The State of Maharashtra & Anr.	 Respondents

Mr. Datta Pawar for the Applicant in CAW/2160/2016 and for the Petitioner in WP/6989/2016.

Mr. A.I.Z. Patel, A.G.P., for Respondent No.1.

Ms. Shyama Parkar, i/by Mr. Makarand P. Rege, for Respondent No.2 in CAW/2160/2016 and in WP/6989/2016.

CORAM : S.C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 10TH AUGUST, 2016.

P.C. :

1. Having heard Mr. Pawar, learned advocate appearing for the applicant/original petitioner, and perusing the Civil Application seeking extension of time, we are not at all convinced that the applicant/petitioner was prevented from depositing the monies and as stated by him before us solemnly. It is only because he pleaded that an opportunity be given, that we deferred all further steps in accordance with law by giving an

opportunity to the applicant/petitioner to deposit the sum, as mentioned in paragraph No.4 of our order dated 21st July 2016.

2. The directions in paragraph Nos.4 and 5 in the presence of the applicant/petitioner required him to deposit a sum of Rs.25,00,000/- with Respondent No.2-Bank on or before 10th August 2016 and a further sum of Rs.25,00,000/- within three weeks thereafter.

3. The initial sum of Rs.25,00,000/- has not been deposited and now this Civil Application is filed seeking extension of time.

4. Today also, the initial sum of Rs.25,00,000/- is not with the applicant/petitioner. In sum and substance, the applicant/petitioner is unable to comply with his own statements, based on which the directions were issued. The application is not *bona fide*. It is dismissed.

5. Since the order has not been complied with, we do not think that the applicant/petitioner deserves any relief under Article 226 of the Constitution of India. Therefore, the Writ Petition is also dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [S.C. DHARMADHIKARI, J.]