

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10362 OF 2013

(Bhakti Nilesh Gaikwad Vs. Bhupendra Ramsingh Yadav and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Sandesh Deshpande for Petitioner.
Ms Savina Crasto for Respondents No.1 and 2.

CORAM : R. G. KETKAR, J.**DATE : 13TH DECEMBER, 2016****P.C.:**

Not on Board. At the request of Mr. Deshpande, taken up in the production Board.

2. Heard Mr. Deshpande, learned Counsel for petitioner and Ms Crasto, learned Counsel for respondents No.1 and 2.

3. By way of praecipe dated 09.12.2016, petitioner has sought extension of time for paying Rs.10,000/- in pursuance of order dated 01.09.2016 passed in the above Petition. By that order, delay of 157 days was condoned subject to the petitioner paying Rs.10,000/- to the respondents within 4 weeks from the date of the order. Petitioner was given period of 8 weeks for filing written statement.

4. Mr. Deshpande invited my attention to the application dated 22.09.2016 at exhibit-72 made by the petitioner enclosing therewith photocopy of cheque of Rs.10,000/-. He invited my attention to the application dated 26.10.2016 at exhibit-73 made by the petitioner-defendant No.2 wherein it was set out that on the last date of hearing as the plaintiff was not present in the Court, the cheque could not be handed over to the plaintiff. On 26.10.2016, on behalf of the plaintiff, say was filed to the effect that necessary order may be passed in the interest of justice for enabling expeditious trial of the matter.

5. Mr. Deshpande has handed over cheque No.156411 dated 13.12.2016 drawn on Bank of India, in the sum of Rs.10,000/- to Ms Crasto. He assures that the said cheque will be encashed. Ms Crasto acknowledges receipt of the cheque.

6. In view thereof, the time stipulated in the order dated 01.09.2016 for paying costs of Rs.10,000/- to the respondents is extended till today.

(R. G. KETKAR, J.)

Minal Parab