IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION (L) NO. 760 OF 2016
IN
WRIT PETITION NO. 730 OF 2015

Shailesh Gupta & Ors.	..	Applicants
In the matter of :		
Shailesh Gupta & Ors.	..	Petitioners
versus		
Asset Reconstruction Company (India) & Ors.	..	Respondents

WITH
NOTICE OF MOTION (L) NO. 758 OF 2016
IN
WRIT PETITION NO. 731 OF 2015

Sunil Gupta & Ors.	..	Applicants
In the matter of :		
Sunil Gupta & Ors.	..	Petitioners
versus		
Indian Overseas Bank & Ors.	..	Respondents

Mr. Janak Dwarkadas – Senior Advocate with Nidhish M, Ashish Mehta, Pratik Jhaveri i/b. Ashish Mehta for Applicants.
Ms Usha Srivastava with Ms Nupur Awasthi i/b. M/s. Consulta Juris for Respondent.

CORAM: DR. MANJULA CHELLUR, C. J. AND
M. S. SONAK, J.
DATE : 5 DECEMBER 2016

P.C.:

1] Notice of motion (l) no. 758 of 2016 not on board. Upon mentioning taken on board.

2] Heard learned senior counsel Mr. Dwarkadas for the petitioners. Mr. Dwarkadas commenced his submissions with the statement that Demand Drafts of Rupees One Crore in each case are ready.

3] By order dated 24th September 2014, DRAT Mumbai directed 50% of the amount held due to be deposited within four weeks, in two equal installments. Aggrieved by the same, these writ petitions came to be filed wherein the time to deposit was extended from time to time and finally as indicated in the order dated 24th October 2016 several final chances were given to deposit the money. Though learned counsel is very persuasive to extend further time, having regard to the fact that discretionary order of the DRAT was further considered by this Court with discretion and even now after two years the parties are not in a position to deposit the amount as directed by the DRAT, we are of the opinion, that indulgence already shown was more than what was required in these cases.

4] Notices of motion are dismissed.

CHIEF JUSTICE

(M. S. SONAK, J.)

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