

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 608 OF 2017

IN

SECOND APPEAL NO. 81 OF 2016

MR. GOVIND GHOVLE AND 3 ORS.,

... Applicants

Versus

MR. SHARAD PADWALKAR AND ANR.,

... Respondents

Ms. Asmita Nakul Tirodkar, Advocate for the Applicants.
Mr. Jagannath Jayant Mulgaonkar, Advocate for the
Respondents.

Coram:- G. S. PATEL, J.

Date:- 8th August, 2017

P.C.

By Judgment dated 17.02.2017, this Court disposed of the Second Appeal with a direction that Respondent nos. 2 and 3 and Respondent nos. 4 and 5 would pay to the Appellant a total amount of Rs.3,00,000/- as compensation within five months from the date of the Judgment. The present application is by Respondent nos. 2 and 3. They say that by an application dated 27.03.2017, they deposited a cheque dated 23.03.2017 to the amount of Rs.1,85,500/- being their share of the amount required to be paid. A copy of the application was furnished to the Appellant who acknowledged it. The Appellant chose not to collect the cheque.

2. Resultantly, the cheque is now beyond its validity date. The present application seeks leave to substitute that cheque of 23.03.2017 with a fresh cheque no. 089662 dated 25.07.2017 and which the second and third Respondent say they are willing to deposit with the Registrar of this Court. There can be no objection to this.

3. Leave granted. The cheque from Respondent nos. 2 and 3 to the amount of Rs.1,82,500/- shall be made out in the name of the Registrar of the High Court and will be deposited. The Registrar to invest the amount in fixed deposit in any Nationalised Bank. Leave to the Appellant to apply for withdrawal of the amount with accumulated interest thereon.

4. Authenticated copy of this Court Order is to be forwarded at the fresh address of the original Appellants.

G. S. PATEL, J.

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