

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 633 OF 2017

IN

SECOND APPEAL NO. 81 OF 2016

MR. SUBODH KUMAR YADAV AND ANR., ... Applicants
Versus
MR. SHARAD PADWALKAR AND 3 ORS., ... Respondents

Mr. Vallabh D. Pangam, Advocate for the Applicants.
Mr. J. P. Mulgaonkar, Advocate for the Respondents.

Coram:- G. S. PATEL, J.

Date:- 8th August, 2017

P.C.

1. By its Judgment dated 17th February 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.

2. The present application is by Respondent nos. 4 and 5. They say that by an application dated 27th March 2017, they deposited a cheque dated 23rd March 2017 in the amount of Rs.1,17,500/-, 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.

3. Resultantly, the cheque is now beyond its validity date. The present application seeks leave to substitute that cheque of 23rd March 2017 with a fresh cheque no. 407331 dated 26th July 2017 and which the 4th and 5th Respondents say they are willing to deposit with the Registrar of this Court. There can be no objection to this.

4. Leave granted. The cheque from Respondent nos. 4 and 5 to the amount of Rs.1,17,500/- shall be made out in the name of the Registrar of the High Court and will be deposited. The Registrar is 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.

5. An authenticated copy of this order is to be sent to the Appellants at the correct/fresh address.

G. S. PATEL, J.

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