

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 335 OF 2017
IN
STAMP NUMBER MAIN NO. 2296 OF 2017

SALMA KHAN., ... Applicant

Versus

THE MANAGER J AND K BANK, NATIONAL
BUSINESS CENTRE AND 3 ORS., ... Respondents

Shri Nigel Da Costa Frias and Ms. S. Sawant, Advocates for the
Applicants.
Shri U. R. Timble and Ms. Yadika Mandrekar, Advocates for the
Respondents.

Coram:- C. V. BHADANG &
NUTAN D. SARDESSAI, JJ.

Date:- 22nd December 2017

P.C.

Heard Shri Nigel Da Costa Frias, learned Counsel appearing on behalf of the Applicant and Shri U. R. Timble, learned Counsel appearing on behalf of the Respondents.

2. On hearing the learned Counsel for the parties and on perusal of the record, we do not find that any case for grant of the relief as claimed is made out. The Petitioners were granted time to deposit the amount on the basis of their undertaking filed in STM No.2296 of 2017 and on the basis of that, the possession of the subject flat was restored to the Petitioners. The Petitioners failed

to repay the remaining amount of the loan of Rs.13,29,796.63 paise alongwith interest and cost within a period of three months as undertaken.

3. By an Order dated 10.11.2017 in CRMA No.277 of 2017, a statement on behalf of the Petitioner was recorded that after deducting the amount of Rs.5,00,000/- deposited on 02.11.2017, the Petitioner shall clear the remaining amount alongwith accrued interest within a period of four weeks. That period has also expired and the amount is not cleared. In that view of the matter, we do not find that any case for extension is made out.

4. The application is without any merit and is accordingly dismissed.

NUTAN D. SARDESSAI, J.

C. V. BHADANG, J.

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