

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.369 OF 2017
IN
WRIT PETITION NO.4955 OF 2015

Mr. Yunus Peermohd. Tamboli
and another. ...Applicants.

vs.
Corporation Bank and Ors. ...Respondents.

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Mr. Vivek V. Phadke for the Applicant.
Ms.Rathina for Respondent No.1.
Mr. Vivek Patil i/by Vivek Patil & Associates for
Respondent No.2.

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CORAM : R.M. BORDE AND
A.S. GADKARI, JJ.
DATE : 17th February, 2017

PC:

1. The counsel appearing for the petitioners/applicants state that he has deposited a demand draft of amount of Rs.13.00 lacs as well as a further sum of Rs.12.00 lacs by way of another demand draft with the Debt Recovery Tribunal, Pune. It is thus clear that, the petitioners have deposited a sum of Rs.25.00 lakhs with the DRT, Pune. The appeal preferred by the applicants is stated to be pending with the DRAT and inspite of the order issued on 9.1.2017

the appeal could not be taken up by the appellate forum for consideration of the request of the appellants for grant of interim protection.

2. The protection granted by this Court on 09.1.2017 for a period of four weeks has already come to an end. In this view of the matter, considering the fact that the petitioners have deposited substantial amount of Rs.26.00 lacs before the DRT, we extend the protection granted earlier for further two weeks.

3. It would be open for the petitioners to make a request to DRAT for taking up the appeal/application for consideration on priority basis. It is further clarified that no further extension would be allowed in the matter. Civil Application is disposed of.

4. If it is noticed that the statement made in respect of deposit of amount is incorrect, it would be open for the appellate forum to pass appropriate order.

4. Civil Application is disposed off.

(A.S.GADKARI, J.)

(R.M. BORDE, J.)