

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1790 OF 2015

Yashwant Vasantao Patil	}	Petitioner
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Anil Ahuja for the petitioner.

Ms. M. P. Thakur-AGP for State.

**CORAM :- DR. MANJULA CHELLUR, C.J. &
N.M.JAMDAR, J.**

DATE :- JULY 24, 2017

P.C. :-

1. On a perusal of the record, it is seen that way back on 24th February, 2015, the petitioner undertook to furnish a bank guarantee for a sum of Rs.1,26,37,500/- to the satisfaction of the Registry, within a period of four weeks. However, subsequently, there was no furnishing of the bank guarantee and the court did not grant any time to furnish such bank guarantee. When the matter came up on 1st March, 2017, when the court questioned the petitioner's counsel, he brought to our notice Civil Application No. 1776 of 2015, requesting the court to accept the bank guarantee of a co-operative bank furnished by the petitioner. The court did not accept the request of the petitioner

and directed the petitioner either to deposit the balance of Rs.1,26,37,500/- or produce the bank guarantee of a nationalised bank. In spite of such leniency, till date, the petitioner is not in a position to comply with the direction, but is giving an excuse that the bank guarantee furnished by him was not in proper format.

2. In the above circumstances, we direct the petitioner to furnish the bank guarantee of a nationalised bank within a period of one week from today, failing which, the petition would stand automatically dismissed, without further reference to the court.

(N. M. JAMDAR, J.)

(CHIEF JUSTICE)