

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

**CIVIL APPLICATION NO.551 OF 2017
IN
APPEAL FROM ORDER NO.341 OF 2017**

M/s. Vicat Sagar Cement Pvt. Ltd,
through its Chief General Manager,
Mr. Sanjeev Aggarwal ...Applicant

In the matter between :-

M/s. Vicat Sagar Cement Pvt. Ltd,
through its Chief General Manager,
Mr. Sanjeev Aggarwal ...Appellant

Versus

The Pune Municipal Corporation &
Ors. ...Respondents

.....

Mr. Veerdhaval Kakade with Mr. Prabhakar Jadhav for the Applicant.
Mr. Rajdeep Khadapkar for the Respondent Nos.1 to 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 4th JULY, 2017.

P.C.:-

By this application, the Applicant has prayed to extend the time to furnish Bank Guarantee. By order dated 5th May, 2017 the Appeal from Order (stamp) No.5115 of 2017 was disposed of as per the terms which are incorporated in the said order. As per clause (ii)

of paragraph 1 of the said order, the Applicant herein was required to give Bank Guarantee in the amount of Rs.79,76,752/- and he was also required to file reply and give all particulars to the Respondent as sought in the notice dated 28th February, 2014 and 13th March, 2014 within four weeks from the date of the said order. Clause (ix) stated that in the event the Bank Guarantee was not submitted and reply to the show cause notice is not filed within four weeks, benefit of the said order will not be available to the Appellant.

2. The learned counsel for the Appellant made a statement that he had already furnished Bank Guarantee and also filed reply on 12th June, 2017. He has submitted that there was delay in furnishing Bank Guarantee and filing reply and he has prayed that same may be condoned.

3. In view of the statements made in paragraphs 13 and 14 to 17 of the Application, the delay in furnishing the Bank Guarantee and filing the reply to show cause notice is condoned. With consent of the parties, the Appellant to appear before the Joint Commissioner, Pune Municipal Corporation (Octroi) on **17th July, 2017 at 11.00 a.m.**

(ANUJA PRABHUDESSAI, J.)