

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

**CIVIL APPLICATION NO.106 OF 2017
IN
CIVIL REVISION APPLICATION NO.1076 OF 2010**

Antonieta Iris D'souza	..Applicant
Vs.	
Ardeshir Salamt Irani & Ors.	..Respondents

Mr. Abhijeet Kandarkar for the Applicant.
Mr. Neel Pungliya for the Respondents.

CORAM: M.S. SONAK, J.

DATE: 25th SEPTEMBER 2017

P.C. :

. Mr. Kandarkar, Learned counsel for the Applicant makes a solemn submission that the amount of Rs.3,50,000/- is already deposited in terms of the order made by this Court on 5/7/2012. He says that if necessary, proof in this regard would be furnished to the learned counsel appearing for the Respondent within a period of 2 weeks from today.

2. Mr.Kandarkar, Learned counsel for the Applicant further submits that as per his calculations, there are arrears of Rs.2,30,000/- (approximately) . He says that if liberty is granted, the Applicant will deposit this amount within a period of 4 weeks from today without fail. He points out that as the Applicant is an old lady and has to depend upon her children to raise this amount, some indulgence may be shown. Upon query to the learned counsel for the Applicant as to whether the Applicant will have any objection to the Respondents withdrawing the amount if deposited, he says that he will leave this matter to the Court.

3. Considering the totality of the circumstances, extension of 4 weeks is granted to clear all the arrears in terms of order dated 5/7/2012. This is on the basis that the Applicant, has already deposited the amount of Rs.3,50,000/-, if the statement is found to be false, serious action may be initiated against the Applicant. However, the Respondent is permitted to withdraw the amount deposited by the applicant within a period of 4 weeks from today. The Respondent shall abide by the final orders that shall be passed in the Civil Revision Application.

4. The Civil Application is disposed of on the aforesaid terms. Since the Applicant is a senior citizen, CRA to be placed for final hearing as per the criteria accorded to the matters concerning senior citizens.

(M. S. SONAK, J.)