

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST) NO. 30 OF 2018
IN
CIVIL APPLICATION NO. 1070 OF 2017
IN
APPEAL FROM ORDER NO. 797 OF 2017

Shri. Reggie Fernandes

....Appellant
(Orig. Defendant)

V/s.

Shri. Joseph D'cunha

....Respondent
(Orig. Plaintiff)

* * * * *

Ms. Rupa Mittal i/by. Mr. H.S. Thakkar, Advocate for the
applicant.

CORAM :-

**SANDEEP K. SHINDE, J.
(VACATION JUDGE).**

DATE :-

2ND JANUARY, 2018.

P.C. :-

1. Vide order dated 11th December, 2017 passed
in Appeal from Order (st) No. 31283 of 2017 with Civil
Application No. 964 of 2017, the appellant was directed to
deposit Rs.1,50,000/- on/or before 31st December, 2017 in

the trial Court so as to enable him to file the written statement.

2. The appellant, original defendant mentioned the matter before this Court on 29th December, 2017 seeking extension of time to deposit part of Rs.1,50,000/-.

3. After hearing the appellant, this Court informed that, unless the appellant is willing to deposit Rs.1,50,000/- extension cannot be granted.

4. Today, the appellant is present before the Court with cash of Rs.1,50,000/- and willing to deposit the same in the trial Court. The appellant therefore seeks appropriate order directing the trial Court to accept the said amount.

5. Issue notice to the respondent returnable on 10th January, 2018.

6. The appellant is directed to serve a copy of the Civil Application and a copy of this order to the respondent on/or before 6th January, 2018 and file Affidavit of service. Stand over to 10th January, 2018.

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CAF-1070-2017-SR.501

Tuesday, 2.1.2018

7. Office to register the Application.

(SANDEEP K. SHINDE, J)