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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2336 OF 2016

Maliram Makharia Stock Brokers Pvt. Ltd. & Anr. ..Petitioners.
Vs.
Industrial Development Bank of India Ltd. & Ors. ..Respondents.

WITH

WRIT PETITION NO. 853 OF 2015

Mr. Udaya S. Samudra a/w a/w Ms. Dhanashree Telhure for Petitioners.
Mr. Pranil Sonwane for Respondent No.1.

**CORAM: R.M. BORDE AND
A.S. GADKARI, JJ.**

DATE: 16 JANUARY 2017.

P.C.:

1 The Writ Petition No.2336 of 2016 is directed against the Order dated 23 January 2015 passed by the Debts Recovery Appellate Tribunal dismissing the appeal bearing No.150 of 2012 present by the petitioner on account of his failure to deposit Rs.2.25 Crores as condition precedent for entertaining the appeal.

2 The petitioner was directed to deposit Rs.2.25 Crores in two installments i.e. first installment was payable on or before 17.1.2015 whereas second installment was payable on or before 17.2.2015. The learned counsel for the Bank points out that the recoverable amount from the petitioner in the year 2001 was to the tune of Rs.5.45 Crores, however, till date, the petitioner has not deposited anything.

3 Apparently, the petitioner does not have any intention to pay the amount due to the bank. The petition being devoid of merits, is accordingly rejected.

4 In view of dismissal of the aforesaid petition, the writ petition no.853 of 2015 is rendered infructuous and is also dismissed.

(A.S. GADKARI,J.)

(R.M. BORDE, J.)