

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1793 OF 2018 IN
CIVIL REVISION APPLICATION NO. 185 OF 2017

Jayant Bhanudas Chandratre
Deceased through LRs
& others

Applicants

Versus

Prabhakar Shankar Shukla
Deceased through LRs
& others

Respondents

Mr. S.S. Kulkarni, advocate for applicants.
Mr. S.M. Kulkarni, advocate for respondents.

CORAM : M.S. SONAK, J.
DATE : 14th FEBRUARY, 2018

PER COURT:

1. Heard learned counsel for the parties.
2. Applicants state that the sum of Rs. 15,000/- will positively be deposited in this Court towards compliance of clause 3(b) of the order dated 11.01.2018. He seeks for further eight weeks time to deposit the balance amount of Rs. 35,000/-.
3. The reason of this extension is that there is a marriage in the family scheduled on 12th March 2018 and therefore, it will be difficult to arrange for the funds and deposit the same in this Court.
4. Learned counsel for respondents opposes the application for

grant of extension of time. He points out that the applicants are already in default since the amount is directed to be deposited on or before 7th February. He points out that the financial position of applicants is quite good and there is no necessity to grant any indulgence to the applicants.

5. Taking into consideration the circumstance that there is marriage in the family scheduled on 12th March and the applicants have filed this application on 9th February, extension can be granted.

6. The applicants, in terms of undertaking, must deposit an amount of Rs. 15,000/- on or before 16.02.2018. If this amount is deposited then, time to deposit balance amount of Rs. 35,000/- shall stand extended to 31st March, 2018. Since, extension is now granted, there is no question of any deemed default. In any case, default if any, stands condoned.

7. Civil application is disposed of in the aforesaid terms.

(M.S. SONAK, J.)