

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2709 OF 2018
IN
FIRST APPEAL NO. 805 OF 2018

The Executive Engineer,
Minor Division, Osmanabad ...Applicant

Versus

Subhash Rama Kadam and & others ...Respondents

...

Mr. Vilas R. Sonwalkar, Advocate for applicant.
Mr. V. V. Ingale, Advocate for respondent no. 1.
Mr. A. D. Namde, AGP for respondent no. 2.

...

[CORAM: SUNIL P. DESHMUKH, J.]
Date: 26th February, 2018

ORDER :

1. Heard learned counsel for the applicant.
2. Application has been moved seeking extension of time for making deposit of amount pursuant to order dated 27th February, 2017 passed in civil application no. 9225 of 2016.

3. Learned counsel Mr. Sonvalkar submits that prescribed time stipulation under order dated 27th February, 2017, could not be kept up on account of various difficulties.

4. He further refers to that now the amount is ready to be deposited and a cheque is also prepared and has been issued in 2017.

5. As such, he seeks indulgence to allow him to deposit amount before expiry of validity period of the cheque.

6. Learned counsel for the respondent/claimant submits that he has no particular objection for extension of time but may be the amount does not take care of the interest accrued thereon upto the date, and in such circumstances, it may be kept open for the respondent/claimant to request for the same.

7. Having regard to aforesaid, it would be expedient to extend the period to deposit the amount. If the amount is deposited by the cheque by 1st March, 2018, the same be accepted and put for onward action of

realization immediately. As such, period for making payment pursuant to order dated 27th February, 2017, stands extended as aforesaid.

8. Civil application stands disposed of.

[SUNIL P. DESHMUKH, J.]

vdk