

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.14762 OF 2018
IN WP/14404/2017

SHRAVAN DAMODHAR AMRUTKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Applicant : Shri Nagargoje Prashant M.
AGP for Respondents 1 to 3 : Shri S.K.Tambe.
Advocate for Respondent 4 : Shri V.B.Jadhav h/f Shri A.V.Hon.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 07th December, 2018

Per Court:

1 I have heard the learned Advocates for the respective sides.

2 The learned Advocate for Respondent No.4 strenuously submits that when the order dated 22.06.2018 was passed, he had canvassed that no relaxation be granted to this Petitioner in terms of clause (f) of the order dated 22.06.2018 since he would come back to the Court with an application seeking extension of time. His words have turned down to be prophetic. He, therefore, opposes this application for the reason that no efforts have been made by the Petitioner to sell out the land. There is no advertisement published disclosing his intention to sell. There is no narration as to what efforts have been taken. The only reason

cited is that he requested his relatives and son-in-law to donate the funds.

3 He raises a serious issue as regards the direction (l) contained in the order dated 22.06.2018. He submits that the Petitioner will not make an effort to sell the land and he will return to this Court in January and submit that clause (l) protects him for further twelve weeks.

4 I do find that the contention of the learned Advocate for Respondent No.4 is well placed since this Civil Application is devoid of any reason which would convince me that the Petitioner/ Applicant has made strenuous efforts.

5 In view of the above, I am partly allowing this Civil Application only to grant one more opportunity to the Applicant/ Petitioner in view of clause (f) of the order dated 22.06.2018. This Civil Application is, therefore, partly allowed in terms of prayer clause "B". The directions in the order dated 22.06.2018 shall be complied with till 31.12.2018, failing which, the direction in clause (l) shall become operative. Similarly, Respondent No.4 would be at liberty to implement clause (m).