

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1545 OF 2018****IN****WRIT PETITION NO. 9503 OF 2014****Ganpati Govinda Manjare,****Deceased through his legal heirs & Ors.****..... Applicants****VERSUS****Ajit Surendra Maraje & Anr.****..... Respondents**

Mr.Sushil Inamdar for the Applicants.

Mr.P.M.Arjunwadkar for the Respondent nos. 1 and 2.

CORAM : R.D. DHANUKA, J.**DATE : 29th AUGUST, 2018****P.C.**

Learned counsel appearing for the applicants on instruction withdraws the averments/allegations made in paragraph (11) of the civil application unconditionally. Leave to amend is granted. Amendment to be carried out within two days from today. Re-verification is dispensed with.

2. The applicants agree to pay a cost of Rs.15,000/- to the respondent no.1 within one week from today without fail. Statement is accepted.

3. The applicants shall produce the proof of the payment of such amount of the cost as directed by this court today before the learned District Judge – 1, Jaisingpur in Regular Civil Appeal No.62 of 2010.

The learned District Judge – 1, Jaisingpur shall decide the said appeal expeditiously.

4. Both the parties shall co-operate with each other and with the learned District Judge – 1, Jaisingpur in deciding the said appeal expeditiously.

5. It is made clear that if the cost of Rs.15,000/- is not paid by the applicants to the respondent no.1 on behalf of respondent nos. 1 and 2 within the time prescribed, Regular Civil Appeal No.62 of 2010 filed by the applicants to stand dismissed without further reference to court.

6. The applicants are permitted to pay the aforesaid amount of cost by furnishing a demand draft in the name of the respondent no.1 which payment shall be forwarded to the learned advocate for the respondent nos. 1 and 2.

7. Service of the demand draft of Rs.15,000/- upon the learned advocate for the respondent nos. 1 and 2 within the time prescribed would be treated as compliance with the order passed by this court.

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

[R.D. DHANUKA, J.]