

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3877 OF 2018

Mrs. Samiksha Satish Patil and anr. V/s. M/s Karvy Financial Services Ltd.	...	Petitioners Respondent
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Mr.Rohit Gupta with Mr. Siddharth Samantarey and Mr. Vivek Phadke
for the Petitioners.
Mr.Shashank N. Fadia for the Respondent.

**CORAM : A.A. SAYED &
V.L. ACHLIYA, JJ.
DATE : MARCH 28, 2018.**

P.C. :

1. Heard the learned counsel for the Petitioners and the learned counsel for the Respondent. We have also perused the impugned order.

2. It is not in dispute that in terms of the impugned order of DRAT, the Petitioners have already deposited a sum of Rs.40,00,000/-. The learned Counsel for the Petitioners has handed over a demand draft of Rs.10,00,000/- to the learned Counsel for the Respondent. The balance amount of Rs.30,00,000/- shall be paid within a period of three weeks from today. In the event, the Petitioners do not pay the amount of Rs.30,00,000/- within three weeks from today, they will voluntarily hand over possession of the secured assets i.e. Flat No. A-174 and 175, Park Plaza Apartments, New Yari Road, Opp. Fisheries

Ins.Verssova, Andheri (West), Mumbai 400 061. An Undertaking to the above effect shall be filed in this Court within two weeks from today.

3. Paragraph No.6 (a) of the impugned order of DRAT shall stand modified accordingly.

4. We make it clear that we have merely extended the time-lines in paragraph 6(a) of the impugned order in respect of payment of Rs.40,00,000/- (second instalment). This would not preclude the Petitioner from challenging the impugned order and DRAT would be free to pass appropriate orders as it deems fit without being influenced by this order.

5. The impugned order shall stand modified accordingly and the Writ Petition shall stand disposed of.

(V.L.ACHLIYA, J.)

(A.A.SAYED, J.)

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