

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

**CIVIL APPLICATION NO.1069 OF 2018
IN
WRIT PETITION No.2342 OF 2017**

M/s.Minda Vast Access System Pvt. Ltd. ... Petitioner

Vs.

M/s.Rainbow Garnishers Pvt. Ltd. ... Respondent

Mr.Anoop V. Patil for the Petitioner

Mr.Yogesh B. Dhone for the Respondent

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JULY 6, 2018**

P.C. :

1. This application is moved for modification of the order of this Court dated 16.4.2018 thereby directing the applicant/petitioner to deposit 75% of the claim amount in the trial Court within 4 weeks from the date of the order.

2. The learned Counsel has submitted that the total claim amount is Rs.37,33,586/- and as per the learned Counsel, 75% of the said amount comes to Rs.28,00,189/-. He submits that the applicant is facing crisis in his business and he does not have cash

amount to deposit in the trial Court. He submits that he be allowed to furnish bank guarantee of the said amount of 75% of the claim amount.

3. Learned Counsel for the respondent opposes the application. He submits that the order passed by this Court is not to be modified.

4. In view of the submissions of the learned Counsel for both the parties, the order dated 16.4.2018 is modified as under:

“The applicant shall deposit an amount of Rs.15 lakhs cash in the trial Court within four weeks from today and for the remaining amount i.e., Rs.13,00,190/-, the applicant shall furnish bank guarantee within a period of two weeks from today.

5. With the above modification, this Civil Application is disposed of.

(MRIDULA BHATKAR, J.)