

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1112 OF 2018
IN
WRIT PETITION NO. 3762 OF 2018

Pravin Shreeram Gholap and ors.	.. Applicants
Vs.	
The Spl Recovery Officer Dhyandeep Coop Credit Society Ltd and ors.	.. Respondents

Mr.B.S.Nayak a/w Ms.Lalita Panchakshari, for the Applicants.
Mr.R.M.Pise, Senior Manager of Respondents No.1 & 2 is present.

CORAM : M.S.KARNIK, J.
VACATION COURT

DATE : 28th MAY, 2018

P.C. :

. This Court by order dated 04/05/2018 granted 4 weeks time to deposit balance amount as per order dated 26/03/2018. It has been made clear that no further extension would be granted. Today learned Counsel for the applicants submits that he has deposited a sum of Rs. 22 lacs and balance amount of Rs. 8 lacs will be deposited within a period of 2

weeks. Learned Counsel for the respondents disputed this as according to him, the applicants have not deposited the sum of Rs. 22 lacs as claimed by them but have deposited Rs. 11 lacs only.

2. Learned Counsel for the respondents has objected to the request for extension of time as this Court had made it clear in the order that no further extension of time would be granted.

3. In the interest of justice, I am inclined to grant a further extension of 2 weeks to the applicants to deposit the balance amount in terms of order dated 26/03/2018 and order dated 04/05/2018. It is made clear that I may not be understood to have made any observation on the correctness of the amount deposited by the applicant and this issue is kept open.

4. Learned Counsel for the respondents submits that in the light of the order dated 04/05/2018 passed by this Court and as a consequence of failure on the part of the applicants in

depositing the entire consideration in terms of order dated 04/05/2018, they have taken further steps for taking possession of godown and open land. In this light of the matter, as I am inclined to grant further period of 2 weeks on the request of the applicants, the expenses incurred by the respondents towards further steps for taking possession on 30/05/2018 shall be recovered from the applicants. Learned Counsel for the applicants, on instructions of the applicant who is present in-person, undertakes to pay the amount of expenses incurred by the respondents towards this end within a period of 2 weeks from the demand made by the respondents. In the event the amount is not paid the respondents may proceed to take possession as per the earlier order.

5. Civil Application is disposed of.

(M.S.KARNIK, J.)