

Anand

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

WRIT PETITION (ST) NO. 21641 OF 2018

Paras Nandlal Thakkar

.Petitioner

Vs.

Dhanlaxmi Bank & anr.

.Respondents

Mrs. Barsha Basant Kumar Ariya, Advocate, for the Petitioner
Mr. R. L. Motwani, Advocate, for the Respondent No. 1 - Bank
Mr. A. A. Alaspurkar, Advocate, for the Respondent No. 2 -

CORAM : A. A. SAYED & M. S. KARNIK, JJ.

DATE : 31.07.2018

P.C.

. The Petitioner has impugned the order dated 28.06.2018 passed by the DRAT on a waiver Application.

2. According to the learned Counsel for the Petitioner, certain amounts which had been paid by the Petitioner has not been considered by the DRAT. It is submitted that even after passing of the impugned order, certain amounts have been paid by the Petitioner to the Respondent No. 1 – Bank. According to the learned Counsel for the Petitioner, only an amount of Rs. 15,20,696/- is required to be paid to comply with the

impugned order of the DRAT, which the Petitioner is willing to pay. According to the Respondent No. 1 – Bank, however, the amount is around Rs. 20,00,000/-.

3. Learned Counsel for the Petitioner fairly states that the Petitioner shall pay a sum of Rs. 16,00,000/- on or before 02.08.2018 and the balance sum of Rs. 4,00,000/- would be paid by the Licensee directly to the Respondent No. 1 – Bank. Learned Counsel for the Petitioner further submits that in the event, the amount of Rs. 4,00,000/- is not paid by the Licensee to the Respondent No. 1 – Bank by 02.08.2018, the Petitioner shall pay the said sum of Rs. 4,00,000/- on or before 06.08.2018. We accept the statement of the learned Counsel for the Petitioner.

4. If the amount is paid to the Respondent No. 1 – Bank as stipulated above, the Appeal shall stand revived (in case the Appeal is already dismissed).

5. The Petition is disposed of on the aforesaid terms.

(M. S. KARNIK, J.)

(A. A. SAYED, J.)