

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.595 OF 2018
IN
FIRST APPEAL ST. NO.28114 OF 2017

Minerals & Metal Trading
Corporation Ltd.

... Applicant

Vs.

Goldilock International Pvt. Ltd.

... Respondent

Mr.Prakash Ganwani with B.G. Saraf for the Applicant

Mr.R.M. Tiwari with Ms.Tabassum Dalvi i/b Jayesh Gawde for
Respondent

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **FEBRUARY 12, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This is a money decree against the appellant. The learned Judge of the City Civil Court by his judgment and order dated 24.11.2016 had decreed the original High Court Summary Suit No.3230 of 2007 and Summary Suit No.6080 of 2007. The learned Counsel submits that leave to defend was granted; written statement was filed by the applicant / Government of India.
3. The learned Counsel for the applicant / Government of India submits that in the execution proceedings, symbolic possession of

immovable property and movable properties has been taken and also the movable property has been attached. The learned Counsel for the applicant / Government of India submits that the applicant / Government of India is ready to deposit the principal amount i.e., Rs.33,92,500/- in this Court within two weeks.

4. The respondent is present and opposes the application.
5. As this is a money decree and as the applicant / Government of India is directed to deposit the entire principal amount i.e., Rs.33,92,500/- in this Court on or before 28.2.2018. Subject to this deposit, the attachment of the properties – both movable and immovable – shall be lifted by the Sheriff and restored to the applicant / Government of India. Further, the impugned judgment and order dated 24.11.2016 in the Suit No.6080 of 2017 is hereby stayed pending final decision of the appeal.
6. Civil Application is disposed of accordingly.
7. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)