

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

WRIT PETITION NO. 9476 OF 2016

Pramod V. Minawala & Ors. ... Petitioners
V/s.
Special Recovery & Sales Officer & Ors. ... Respondents

Mr. Rajesh A. Tekale for the Petitioners.
Ms. Jyoti Jadhav, A.G.P. for Respondent No.2.
Mr. Nitin H. Shukla for Respondent No.3.

**CORAM : A.A. SAYED AND
V.L. ACHLIYA, JJ.**

DATE : 19th MARCH, 2018.

PC. :

1 In the order dated 13.03.2018, the date of the recovery certificate in paragraph 1 is mentioned as 29.10.2015 which shall be read as **12.06.2015**. The order dated 13.03.2018 be corrected accordingly.

2 Pursuant to the order dated 13.03.2018, the learned Counsel for the Respondent Society after taking instructions states that the Respondent Society has fairly agreed to the proposal of the Petitioners for payment of the amount of Recovery Certificate alongwith interest @ 12% p.a. from the date of recovery certificate i.e. 12.06.2015 till payment.

3 The statement of the learned Counsel for the Petitioners is recorded on instructions from the Petitioner No.2 who is present in Court that the amount will be paid after adjusting the amount of Rs.5,00,000/- within three weeks from today. We accept the statement.

4 The statement of the learned Counsel for the Petitioners is recorded that the Petitioners shall also pay the amount of Rs.34,000/- towards the deemed conveyance within the aforesaid period of three weeks. We also record the undertaking of the Petitioners made through the learned Counsel that the Petitioners shall pay the maintenance amount of the Respondent Society regularly in future.

5 It is made clear that in the event the amount is not paid as directed above, the benefit of this order shall not be available to the Petitioners.

6 The Petition is disposed of in the aforesaid terms. List the Petition for compliance on 11.04.2018.

(VL. ACHLIYA, J.)

(A.A. SAYED, J.)