

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

**REVIEW PETITION NO. 1 OF 2018
WITH
CIVIL APPLICATION NO. 362 OF 2018
IN
CONTEMPT PETITION NO. 376 OF 2017
IN
CIVIL REVISION APPLICATION NO. 234 OF 2017**

Suhas B. Samant ...Petitioner/Applicant
Versus
Ganpat S. Shete and ors. ...Respondents

Ms Pratima Saundalkar I/b Ms Rushita Jain for the
Petitioner/Applicant.
Mr. Ajit Karwande for the Respondents.

CORAM : M. S. SONAK, J.

DATE : 23.07.2018.

P.C. (In Chamber)

1] Heard Ms Pratima Saundalkar, learned counsel for the
petitioner/applicant.

2] By Civil Application No. 362 of 2018, once again,
extension of time is applied for. By order dated 16.4.2018,
subject to the applicant/petitioner's filing an undertaking
that he will deposit the amount of Rs.4 lakhs positively
within three months, extension was granted. The
undertaking was filed but no amount has been deposited.

3] On the previous occasion also the reasons stated in the review petition were in the context of health of applicant's wife. In the order dated 16.4.2018, it was noted that even the reasons/grounds set out in the review petition were entirely misconceived and appeared to be nothing, but an attempt to take advantage of indulgence shown to the applicant/petitioner from time to time.

4] Even this time, learned counsel for the applicant-petitioner, made a plea that at least four weeks extension be granted. Since, indulgence has been shown on several occasions earlier, it is not possible to continue with the indulgence.

5] Learned counsel for the respondents points out that on 20.4.2018, the Hon'ble Supreme Court in the special leave petition instituted by the applicant/petitioner has granted time to the applicant/petitioner to vacate the premises till 31.7.2018, subject to filing of usual undertaking with the Registry of the Hon'ble Supreme Court within one week. This special leave petition as well as the pending applications have also been disposed of.

6] Taking into consideration of the aforesaid circumstances, it is not possible to show any further indulgence in this matter. Accordingly, Review Petition No. 1 of 2018 and Civil Application No. 362 of 2018 therein, are hereby dismissed.

7] Taking into consideration the peculiar facts and circumstances of the present case, no order is made as to the costs.

(M.S. SONAK, J.)

Dinesh
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