

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.692 OF 2018

IN

CIVIL REVISION APPLICATION (L) No.13198 OF 2018

Balurghat Transport Company Limited ... **Petitioner**
V/s.

Rawal Investment Private Limited ... **Respondent**

.....

Mr.S.Shamim i/b. Shamim & Co, Advocate for the Petitioner.

Mr.Dhiraj Mhetre with Ms.Smiti Tewari i/b. Khaitan Legal Associates, Advocate for the Respondent.

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CORAM : M.S.SONAK, J.

DATED : 19th DECEMBER 2018.

P.C. :

In this case, though the revision was decided against the applicant, which is a Company, this Court, granted time of twelve weeks to the applicant subject to certain conditions. The conditions have not been complied with in the same spirit. There is no deposit of arrears in this Court under intimation in writing to the Counsel for the plaintiff. Even the copy of the usual undertaking was not furnished to the learned Counsel for the plaintiff. Now it is stated that some deposit have been made

before the trial Court, however, this fact is not ascertainable. In any case, there is no compliance with the conditions in paragraph 9 of the Judgment and Order dated 10th October 2018.

2 Irrespective of the aforesaid, even the reason now stated to seek extension is that the Managing Director had to undergo some dental treatment. Considering that twelve weeks time was granted and the fact that the applicant is a Company, it is hardly a reason to seek any further extension and, there is no case made out to grant any further extension.

3 The application is, therefore, rejected.

(M.S.SONAK, J.)