

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO. 5 OF 2016
IN
CHAMBER SUMMONS NO. 911 OF 2007
IN
EXECUTION APPLICATION NO. 890 OF 2014**

Dilsa Distributors	...Petitioner
<i>Versus</i>	
4U2C Films & Kushaljit Singh Jundeja	...Respondent

**WITH
NOTICE OF MOTION NO. 493 OF 2018
IN
CONTEMPT PETITION NO. 5 OF 2016
IN
CHAMBER SUMMONS NO. 911 OF 2007
IN
EXECUTION APPLICATION NO. 890 OF 2014**

**Mr R Upadhyay, i/b AK Saxena, for the Petitioner.
Mr Anand Mishra, i/b AM Saraogi, for the Respondent.**

**CORAM: G.S. PATEL, J
DATED: 16th April 2018**

PC:-

1. Mr Mishra on behalf of the Respondent states that due to inadvertence on his part personally a Demand Draft drawn by the Respondent in favour of the Prothonotary & Senior Master on the Oriental Bank of Commerce, No. 621694 and dated 8th March 2018 remained to be deposited. Of course, on behalf of the Petitioner it is submitted that there is a default, but Mr Mishra's statement must suffice for our purposes. Apart from anything else he has the instrument in hand, and it is not a cheque but a Demand Draft, and it is clearly dated 8th March 2018.

2. The Demand Draft will be deposited with the Prothonotary and Senior Master by the end of the day tomorrow. The Prothonotary & Senior Master will invest the amount initially for a period of 45 days with any nationalised bank at the best available interest rates, and thereafter renew it periodically until further orders of the Court.

3. The order of 19th March 2018 required the Respondent to make payment of the balance amount of Rs.16,50,000/- by 11th April 2018. Mr Mishra has instructions to apply for an extension of time, and although he has filed Motion No. 493 of 2018 seeking an extension by six weeks, he has instructions to leave the extended date to the discretion of the Court.

4. Having regard to these circumstances, I will extend time for making a deposit of the balance amount of Rs.16,50,000/- till 11th May 2018.

5. Liberty to the Petitioner in the Contempt Petition to make an application before the learned Vacation Judge if the deposit is not made by that date.
6. The Motion No. 493 of 2018 stands disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)