

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 3125 OF 2018

A R Enterprises And Another

...

....Petitioner

V/S

The Dena Bank Ltd. .

...

...Respondent

Mr.Balwant Salunke a/w Mr. Dilip Harishchandra Shukla for the Petitioner.
 MR A R Bamne a/w Mr.Nilesh Bamne i/b A. R. Bamne And Company for the
 Respondent.

...

CORAM : A.A. SAYED &**N. J. JAMADAR, JJ.****DATED : 14 DECEMBER 2018****P.C.:**

On 21 November 2018, the following order was passed by this
 Court:

- “1. We record the statement of the learned counsel for the petitioner, on instructions, that the petitioner shall deposit the amount of Rs.31,50,000/- in terms of the order dated 1st November, 2018 within two weeks from today failing which the petition may be dismissed.
2. List the petition on 5th December, 2018, HOB.
3. The Ad-interim relief granted to continue till then.”

2. The Petitioner has not deposited Rs.31,50,000/-, though further opportunities were given and the matter was thereafter adjourned to 5th and 10th December 2018. Even today, there is no amount forthcoming.

3. In these circumstances, we dismiss the Petition with liberty to the Petitioner to approach the DRAT to challenge the impugned order of DRT, if so advised. We make it clear that the DRAT would be free to pass appropriate orders without being influenced by the orders passed by this Court and the time taken in prosecuting the present Petition shall be considered by the DRAT in condoning the delay in filing the Appeal, if so filed.

(N. J. JAMADAR,J.)

(A.A.SAYED, J.)