

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAW] No.2712 of 2018
in
Writ Petition No.3449 of 2018

Dhananjay Bhagwanji Fule

vs.

Rupchand Khemraj Badule

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Shri Prashant Gode, Advocate for the Applicant-Petitioner.

CORAM : S.B. SHUKRE, J.
DATE : 23rd OCTOBER, 2018.

Heard.

The notice issued to the respondent is yet to be served. This Court on 7th August, 2018 granted interim relief to the petitioner subject to the condition that the petitioner shall pay occupation charges of Rs.3,000/- per month to the respondent starting from the month of August, 2018 or alternately deposit the same in this Court on or before 15th day of every month. The cheque earlier deposited with this Court, as stated in this application, was dis-honoured, but the reason given is that due to mistake on the part of the learned Counsel for the petitioner.

Whatever may be the reason, now the petitioner has shown his willingness to deposit the

amount starting from August, 2018 by cheque and considering the same, I am of the opinion that one more chance needs to be given to the petitioner pending service of notice upon the respondent and accordingly this application is allowed in terms of its prayer clause with the hope that the petitioner shall not give any cause for taking any unpleasant action against the petitioner on account of dis-honour of cheque, if any.

The application is disposed of accordingly.

JUDGE

**sandesh*