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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**918 CIVIL APPLICATION NO.2658 OF 2019
IN WP/1002/2019**

KAMLESH BAHUBALI GANGAWAL
VERSUS
ABHAYKUMAR PREMSUKHLAL SANCHETI AND ANOTHER

...
Advocate for Applicant : Mr. Sonavane Narendra D.
Advocate for Respondent Nos. 1 & 2 : Mr. P.F. Patni
...

**CORAM : P.R. BORA, J.
DATED : 29th March, 2019.**

PER COURT:-

. Heard Shri Sonavane, the learned counsel appearing for the applicant and Shri Patni, the learned counsel appearing for respondent nos. 1 and 2.

2. This Court vide interim order passed on 23.01.2019 has directed the present applicant to deposit a sum of Rs.10,00,000/- before First Appellate Court within a period of two weeks from the date of the said order. The learned counsel submitted that though, the applicant collected a sum of Rs.3,00,000/- and accordingly prepared a demand draft of Rs.3,00,000/- in the name of Registrar of Bombay High Court, Bench at Aurangabad, the registry refused to accept the same in absence of any order. The learned counsel has further submitted that the applicant

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undertakes to deposit the balance amount of Rs.7,00,000/- within a period of two weeks from the date of this order. The learned counsel, in the circumstances prayed for continuance of the interim order.

3. Shri Patni, the learned counsel appearing for the respondents has strongly opposed the request stating that the applicant is in arrears of more than Rs.26,00,000/-.

4. In fact, the applicant was directed to deposit the amount before the First Appellate Court however, since he has now purchased the demand draft in the name of Registrar of the High Court, I am inclined to allow him to deposit the same in this Court. Since, the applicant has shown his bonafides, I also deem it appropriate to provide him more two weeks time to deposit the remaining amount of Rs.7,00,000/-. In the result, the following order is passed:

ORDER

- i) The application is allowed.
- ii) The applicant is permitted to tender the demand draft in this Court for the amount of Rs.3,00,000/-. The applicant shall deposit the remaining amount of Rs.7,00,000/- also in this Court within a period of two weeks from the date of

this order.

iii) Interim relief granted on 23.01.2019 shall continue subject to the aforesaid compliance.

iv) It would be open for the respondents to withdraw the deposited amount.

v) The civil application stands disposed of.

(P.R. BORA, J.)

Mujaheed//