

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

**5 CIVIL APPLICATION NO.8755 OF 2019
IN AO/7/2019**

**HAROON BASHIR SHAIKH (Died)
THROUGH LEGAL HEIRS
VERSUS
JAHID HAJI BABAMIYAN AND OTHER**

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Advocate for Applicants : Mr. R.L. Kute
Advocate for respondents : Mr. A.T. Patel

CORAM : RAVINDRA V. GHUGE, J.
Date: July 29, 2019

ORAL ORDER :

1. By this application, the applicants pray for enlargement of time under Section 148 of the Code of Civil Procedure, as they were unable to deposit the amount as directed by this Court, vide order dated 12.6.2019. The amount had to deposit on or before 10.7.2019 and this civil application has been filed on 25.7.2019. Technically, delay caused is of 15 days.

2. The learned Advocate for the respondents have strenuously opposed this application.

3. Considering the order passed by this Court dated 12.6.2019, in view of the litigation between the parties and the fact that the delay of about 15 days is caused in depositing the amount of costs, the time is extended upto 3.8.2019.

4. This application is, therefore, allowed.

5. If the amount is not deposited on or before 3.8.2019 as per the earlier directions of this Court, the contingency set out in the order dated 12.6.2019 shall become effective and the impugned order dated 31.12.2018 shall stand restored.

6. The parties shall act upon the print out copy of this order obtained from the official website of the Bombay High Court.

(RAVINDRA V. GHUGE)
JUDGE

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