

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 3154 OF 2017
IN
FIRST APPEAL NO. 1141 OF 2017**

International Airports Authority of India ... Applicant
V/s.
M/s.Videocon International Ltd. & Anr. ... Respondents

Ms. Kavita Anchan i/b. M.V.Kini & Co., Advocate for Appellant.
Mr.Amit Nikam i/b. Kamal & Co., Advocate for Respondent No.1.

**CORAM : K. K. TATED, J.
DATED : 11th OCTOBER, 2019**

P.C.:

1. Heard learned counsel for the parties.
2. By this Civil Application, applicant/original defendant no.1 seeking stay of operation and implementation of impugned Judgment and Decree dated 18th October, 2016 passed by Bombay City Civil Court at Bombay in S.C. Suit no. 8648 of 1993 holding that, respondents/plaintiffs are entitled a sum of Rs. 10,19,433/- with interest @ 12 % p.a., on the principal sum, from the date of suit, till realization of whole amount. In view of order passed by this Hon'ble

Court today in Civil Application No. 4101 of 2017 in First Appeal Stamp No. 4296 of 2017 nothing survives in the present Civil Application.

3. It is made clear that, liberty is granted to the applicant to take out fresh application for same cause of action, in case the Respondent No.2 Air India, failed to deposit the amount in Trial Court as per order passed by this Court in Civil Application No.4101 of 2017 in First Appeal Stamp No. 4296 of 2017. Hence, following order.

ORDER

- a) Civil application stands dismissed as infructuous with liberty as stated hereinabove.
- b) No order as to costs.

(K.K.TATED, J.)