

3. Learned counsel for the respondent fairly states that if the petitioner deposits this amount of Rs.25,00,000/- he would have no objection if conditional leave to defend is granted to the defendant on payment of Rs.25,00,000/- within this period.

4. The petitioner who is present in the Court has filed the undertaking. Learned counsel for the petitioner states that he has explained to the petitioner the contents of the undertaking in Marathi also. The undertaking is taken on record and marked as exhibit 'X-1' for identification. The undertaking is accepted. Subject to the petitioner depositing a sum of Rs.25,00,000/- within a period stipulated in the undertaking dated 4.9.2019, the conditional leave to defend the suit is granted. The order passed by the Trial Court stands modified. Upon deposit of the amount in terms of the undertaking the Trial Court to pass further orders regarding filing of the written statement.

5. Needless to mention that if the written statement is filed, the plaintiff will always at a liberty to file additional affidavit of evidence and even the Trial Court is free to pass appropriate orders on a request made by the plaintiff.

6. The petition is disposed of in the above terms with no order as to costs.

(M. S. KARNIK, J.)