

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4018/2015
WITH
CIVIL APPLICATION NO.1489/2015

India Infoline Ltd. (IIFL) ... Petitioner

V/s.

Royal Enterprises ... Respondent

Mr. Mikhail behl a/w. Ganesh Ambekar I/b .Thakore Jariwala &
Associates for the Petitioner

Ms. Sakina Kothari I/b. Kranti Anand for the Respondent

CORAM: K.K. TATED, J.

DATED : MARCH 4, 2019

P.C. :

1 Heard. By this petition under Article 227 of the Constitution of India the Petitioner - Defendant challenges the order dated 04.03.2015 passed by the Bombay City Civil Court in Summons for Judgment No.102/2014 in Summary Suit No.503/2013 directing the Petitioner to deposit sum of Rs.1,49,626/- to defend the suit on merits.

2 When this court declined to entertain the Writ Petition, the learned counsel for the Petitioner seeks permission to deposit a sum of Rs.1,49,626/- in the Trial Court within four weeks from today.

3 Hence, following order is passed:

- a. The Petitioner is permitted to deposit a sum of Rs.1,49,626/- in the Trial Court as per order dated 04.03.2015 passed in Summons for Judgment No.102/2014 in Summary Suit NO.503/2013 in the Trial Court, within four weeks.
- b. If the amount is deposited as stated hereinabove, the Trial Court is directed to invest the same amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till disposal of suit.
- c. On deposit of the said sum within four weeks from today, the Petitioner – Defendant is permitted to file written statement, with copy to other side, within six weeks from today.
- d. The Writ Petition stands disposed of with these directions.
- e. In view thereof, nothing survives in the Civil Application. Same stands disposed of as infructuous.

(K. K. TATED, J.)