

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1119 OF 2019
IN
CIVIL APPLICATION NO.376 OF 2019
IN
WRIT PETITION NO.10329 OF 2016
[M/s. Jonas Holdings Pvt. Ltd. / .. Applicant
Sharad S. Pingale Vs. M/s. Jonas Holdings Pvt. Ltd. & Ors.]
WITH
CIVIL APPLICATION NO.376 OF 2019
IN
WRIT PETITION NO.10329 OF 2016

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Ms. Shruti Tulpule, Advocate for the Applicant.
Mr. Abhishek Pungliya, Advocate for the respondent.

CORAM : R. G. KETKAR, J.
DATE : 26/04/2019

P.C.:

1. Not on board. At the request of Ms.Tulpule taken up in the production board.
2. Heard Ms.Shruti Tulpule, learned Counsel for the applicant and Mr.Abhishek Pungliya, learned Counsel for the respondent.
3. Ms. Tulpule states that along with present Civil Application, Demand Drafts in the sum of Rs.1,00,00,000/-, Rs.38,74,006.20 and Rs.1,60,00,000/- drawn in favour of Judge, Small Causes Court, Pune, aggregating to Rs.2,98,74,006.20, are enclosed. She assures that on or before 30.4.2019, the applicant will deposit these demand drafts in the Small Causes Court at Pune under intimation in writing to the learned Counsel for the respondent. She further assures that on or before 3.5.2019, the applicant will deposit Rs.1,49,00,000/- in the Small Causes Court, Pune under intimation in writing to the learned Counsel for the respondent. She makes these statements in the

presence of Mr. Ashok Gajanan Yadav, Director of the applicant who is present in the Court today. The statements made by Ms. Tulpule, on instructions, are accepted in the form of undertaking to this Court.

4. It is made clear that in case the applicant does not deposit the demand drafts of Rs.2,98,74,006.20 on or before 30.4.2019 and on or before 3.5.2019 does not deposit demand draft of Rs.1,49,00,000/- in the Small Causes Court at Pune, the applicant will hand over vacant and peaceful possession of the suit premises, namely, piece and parcel of the property admeasuring 01 Hectare 04 Ares out of Survey No.81, Hissa No.26 (old S. No.81/3/1A+1B+2/1+2/2/1) totally admeasuring about 00 Hectare 96 Ares and the property bearing Survey No.82, Hissa No.5 (old S. No.82/1+2+3/1A/1B+2/1) admeasuring about 00 Hectare 48 Ares along with building standing thereon and furniture and fixtures attached thereto situate at village – Mundhwa, Taluka – Haveli, District – Pune, as more particularly described in paragraph-1 of the plaint in Civil Suit No.199/2014. In case, there is failure on the part of the applicant in depositing the amounts, as indicated hereinabove, as also handing over possession of the suit premises to the respondent on or before 7.5.2019, the respondent/plaintiff will be at liberty to take police assistance for dispossessing whoever found in possession of the suit premises.

5. Civil Application is disposed of in aforesaid terms with no order as to costs.

6. All concerned parties, including the police officials attached to Mundhwa police station, shall act upon the authenticated copy of this order and shall extend cooperation, if required by the applicant.

C.A. No.376/2019 in W.P. No.10329/2016

. List Civil Application No.376/2019 on 10.6.2019.

(R. G. KETKAR, J.)