

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1629 OF 2019

IN

WRIT PETITION NO. 5088 OF 2018

Shashikant S.Dubey .. Applicant

In the matter between

Shashikant S. Dubey .. Petitioner

Vs.

President/Secretary,

Marwadi Vidyalaya High School and ors. .. Respondents.

Ms.Panthi Desai i/b M/s.M.P. Vashi & Associates, for Applicant.

Mrs.Punita Arora a/w Mr.Puneet Arora & Ms.Avadhi Jain i/b Arora & Co., for Respondents No.1 & 2.

Ms.M.S.Bane, AGP for Respondent No.3.

CORAM : M. S. KARNIK, J.

DATE : 11th DECEMBER 2019.

P. C. :

. This Civil Application is filed for modification of the earlier order dated 27/03/2019 passed by this Court. Learned Counsel for respondents No.1 & 2 raised serious objection to the bonafides of this application. According to her, this is an only attempt to prolong the depositing of the amount. According to her, no satisfactory

explanation has been stated in the application as to what are the attempts made to deposit this amount before the Tribunal. According to her, there is nothing to indicate that the said amount is ready with the applicant.

2. Since an order directing deposit is already made, in my opinion and in the interest of justice and only by way of indulgence, the applicant is permitted to deposit the amount as per order dated 27/03/2019 within a period of one week from today before the Tribunal. It is made clear that if the amount is not deposited within a period of one week from today, the order of the Tribunal dated 07/09/2017 will revive.

3. It is further made clear that no application for extension of time shall be entertained on any ground.

4. The Tribunal to accept the deposit and invest the same in any nationalised Bank till disposal of the Appeal. After the Appeal is disposed of, the Tribunal shall make necessary orders regarding the amount so deposited which shall obviously follow the final order that

may eventually passed by the Tribunal.

5. Civil Application is disposed of.

[M. S. KARNIK, J.]

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by Urmila P.
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