

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (STAMP) NO.26936 OF 2019

Vilas Eknath Nandgude & Anr. .. Petitioners
(Orig. Respondents)
Vs

The State of Maharashtra & Anr. .. Respondents
(Orig. Applicants)

...

Mr. S.S. Kulkarni i/b Mr. Gauresh Khandelekar for the Petitioners.

Ms. Nisha Mehra, A.G.P. for Respondent No.1.

Ms. Jyoti Sanap i/b M/s. V. Deshpande & Co. for Respondent Nos.2 and 3.

**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 05TH NOVEMBER, 2019.

P.C:-

1. We need not decide the Writ Petition on merits for the reason as recorded in the Order dated 11th October, 2019, in full and final satisfaction of the claim by the second Respondent against the Petitioners concerning three accounts maintained by the said Respondent in the name of the Petitioners, it was agreed

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that ₹2.65 crores shall be paid by the Petitioners to the second Respondent. The amount was payable in two instalments : ₹50 lakhs within one week and the balance within one month from the date of the said order.

2. The Petitioners paid ₹50 lakhs on 11th October, 2019 itself and paid another ₹50 lakhs on 18th October, 2019. A sum of ₹11 lakhs has been tendered by Bank Draft, today. Balance due as per the agreed amount is ₹1.54 crores. As per the agreement, thirty days' time would expire on 10th November, 2019. By the said date, the entire outstanding agreed amount had to be paid.

3. Learned counsel for the Petitioners states that time be extended by sixty days from today to enable the Petitioners to pay the balance sum of ₹1.54 crores.

4. We dispose of the Petition declaring that the impugned orders shall not be enforced against the Petitioners if within sixty days from today, the Petitioners pays to the second Respondent the balance sum of ₹1.54 crores together with simple interest at the rate of 8% per annum reckoned from today till payment is tendered.

5. If there is default by the Petitioners, the impugned orders would become enforceable but subject to adjusting the amounts which the Petitioners have paid to the second Respondent

pursuant to the settlement which was recorded in the order dated 11th October, 2019.

6. No costs.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)