

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.463 OF 2018

IN

WRIT PETITION NO.1461 OF 2015

(Bharat Petroleum Corporation Limited Vs. Ratan Kawas Lalkaka (deleted) Noshir R. Kasad and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders

Court's or Judge's orders

Mr. S. R. Page for Applicant.

Mr. P. M. Rustomkhan for Respondents No.1 to 3.

CORAM : R. G. KETKAR, J.

DATE : 19TH JULY, 2019

P.C.:

Heard Mr. Page, learned Counsel for the applicant and Mr. Rustomkhan, learned Counsel for the respondents No.1 to 3.

2. Leave to amend prayer clause (b) by substituting the word “appeal” by the words “Civil Revision Application” is granted. Amendment shall be carried out forthwith.

3. By this Application, the applicant - Bharat Petroleum Corporation Limited (for short 'BPCL') has prayed for the following relief:

“(b) This Honourable Court be pleased to pass appropriate order and permit Applicant to renew the bank guarantee and furnish the same

as also permit the applicant to deposit of amount of Rs.10,00,000/- for the months from July 2017 till November 2017 in compliance of order dated 30/6/2015 before the Honourable Small Causes Court at Mumbai in Appeal No.23 of 2012, and permit the applicant to make further deposits @ Rs.2,00,000/- per month during pendency of the Civil Revision Application (St.) No.20004 of 2019 before the Honourable High Court at Mumbai.”

4. Mr. Page submitted that appeal pending in the Small Causes Court is dismissed and against that order, applicant has instituted C.R.A.

5. In view thereof, Civil Application is allowed in terms of amended prayer clause (b). The applicant shall deposit the amount and also renew the Bank Guarantee till the disposal of the C.R.A. Let this exercise be done within two weeks from today. List the C.R.A. for 'admission' on 13.08.2019 in the Supplementary Board.

(R. G. KETKAR, J.)

Minal Parab