

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1644 OF 2014
IN
FIRST APPEAL NO.498 OF 2014
ALONG WITH
FIRST APPEAL NO.498 OF 2014**

Vardhman Textiles Limited .. Applicant/Appellant
Vs.
The Cotton Corporation of India Limited .. Respondent

Mr.U.J. Makhija a/w Mr.Aditya Sikka and Ms.Drishtri Das i/by Cyril
Amarchand Mangaldas for the applicant/appellant.
Mr.Rohan Karande i/by M/s.Divekar & Co. for the respondent.

**CORAM : R.D.DHANUKA, J.
DATE : 24th February 2020**

P.C.:

. By this application, the applicant seeks stay of the impugned judgment and decree dated 31st January 2014.

2. Mr.Makhija, learned counsel for the applicant invited my attention to the order dated 24th July 2014 passed in First Appeal No.494 of 2014 with Civil Application No.1693 of 2014 and would submit that in identical matter between the same parties, this Court had already granted stay of the impugned judgment and decree on the condition that the applicant deposits entire decretal amount along with interest @12% p.a. from the date of filing of the suit till passing of the impugned decree and thereafter @6% p.a. from the date of the decree till the date of deposit in this Court and costs within a period of 8 weeks from the date of the said order after giving intimation to the

Attorneys of the respondent. He submits that the same order may be passed in this matter also.

3. In my view, since in the identical matter, this Court had already granted stay of the impugned judgment and decree on the condition of deposit, I am inclined to pass the same order in this matter also.

4. Civil Application is made absolute in terms of prayer clause (a) on the condition that the applicant deposits entire decretal amount along with interest @12% p.a. from the date of filing of the suit till passing of the impugned decree and thereafter @6% p.a. from the date of the decree till the date of deposit in this Court and costs within a period of 8 weeks from today after giving intimation to the Attorneys of the respondent.

5. Liberty is granted to the respondent to apply for withdrawal of the amount by taking an appropriate application in this First Appeal and also in First Appeal Nos.499 of 2014 and 494 of 2014. Civil application is disposed of on aforesaid terms. The appellant would be at liberty to apply for expeditious hearing of all three connected First Appeals after three months. Printing is dispensed with.

R.D.DHANUKA, J.