

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1359 OF 2021

IN

WRIT PETITION NO.2296 OF 2021

**CLEAN SAUCHALAY THROUGH SECRETARY)
SURESH RAMJI MARU)...APPLICANT**

V/s.

THE STATE OF MAHARASHTRA AND ORS.)...RESPONDENTS

Mr.Sanjeev Kadam i/b. Mr.Prashant Raut, Advocate for the Applicant.

Mr.Vijay Patil, Advocate for the Respondent No.3.

Mr.P.P.Kakade, Government Pleader a/w. Smt.Rupali Shinde, Mr.K.S.Thorat and Smt.G.R.Golatkhar, AGP, for the Respondent-State.

**CORAM : R. D. DHANUKA &
V. G. BISHT, JJ.**

DATE : 1st JULY 2021

P.C. :

1 By this interim application, the applicant / original petitioner seeks extension of time to pay 25% amount and seeks modification of the order dated 8th June 2021.

2 The application is vehemently opposed by Mr.Patil, learned counsel for respondent no.3 on the ground that this Court had already passed a very liberal order for deposit of 25% while granting stay. The applicant has not complied with even the said liberal order passed by this Court.

3 In our view, Mr.Patil, learned counsel for the respondent no.3 is right in his submission. We are not inclined to reduce the amount of deposit. Time to deposit the said amount is extended by two weeks from today. It is made clear that if the said amount of 25% is not deposited within the extended period, the interim stay granted by this Court on 8th June 2021 would stand vacated without further reference to this Court.

4 The interim application is disposed off in aforesaid terms. No orders as to costs.

5 Time to file affidavit in reply granted to respondent no.3 in the writ petition is extended by two weeks from today. A copy

thereof be served on the petitioner's advocate. Rejoinder, if any, shall be filed within one week thereafter.

6 Place this writ petition on board along with Writ Petition No.2322 of 2021 and Writ Petition No.2323 of 2021 for admission after four weeks.

(V. G. BISHT, J.)

(R.D.DHANUKA, J.)