

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO.318 OF 2021
IN WRIT PETITION NO.929 OF 2020

Smt. Nirmala wd/o Ramlal Soni ... Petitioner

- Versus -

Authorised Officer, State Bank of
India and others ... Respondents

Shri R.R. Chhabra, Advocate for Petitioner.

Shri S.N. Kumar, Advocate for Respondent Nos.1 and 2.

Shri D.P. Thakare, Additional Government Pleader for
Respondent Nos.4 and 5.

CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.

DATE : 18 FEBRUARY 2021

P.C. :

This Civil Application was filed on 16 March 2020 seeking extension of the interim order for a period of four months. The interim order passed in the Writ Petition on 3 March 2020 reads thus :

“The respondent-Bank to specify the exact valuation of the property owned by the petitioner which is being put to auction.

2] According to the petitioner, the valuation of the property is of Rs.3.50 Crores. Hence, the petitioner to

deposit that amount in this Court, till 16.03.2020, failing which the interim order shall stand vacated.”

2) The Division Bench had clarified that if the amount is not deposited, interim order shall stand vacated. This was to take place on 16 March 2020. On 16 March 2020 itself, application was filed. There is no other application before us. The period of four months as sought for in the application dated 16 March 2020 is not only over, but further period also stood granted by passage of time. Therefore, this civil application has become infructuous.

3) Shri Chhabra, learned Counsel for the Petitioner, states that the Petitioner is ready to pay the dues to the Respondent Bank. If that is the position, it is open to the Petitioner to approach the Respondent Bank to pay the dues. It is to be noted that from the date the interim order is passed till date not a single paisa out of the amount specified in the interim order is paid to the Respondent Bank.

4) With the above observations, the civil application is disposed of.

(ANIL S. KILOR, J.)

(NITIN JAMDAR, J.)

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**Kamal
Jeswani**

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Kamal Jeswani
Date: 2021.02.25
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