

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2181 OF 2022
IN
WRIT PETITION NO. 3018 OF 2020

M/S JAY BHAVANI JINNING AND PRESSING FACTORY,
THROUGH ITS PARTNER MACHINDRA S/O RATAN PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. P. D. Jarare h/f Mr. S.S. Thombre
Advocate for Respondent Nos. 1 to 5 : Mr. P.N. Kutti
Advocate for Respondent Nos. 6 & 7 : Mr. N.K. Tungar

...
CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.
DATE : 17th FEBRUARY, 2022

PER COURT :-

1. Present civil application is filed for extension of time to deposit remaining amount as directed by this Court under order dated 20th February, 2020. The learned counsel for the applicant submits that pursuant to the orders passed by this Court on 20th February, 2020 in writ petition No.3018 of 2020, the applicant has deposited amount of Rs. 50,00,000/- (Rupees Fifty Lakhs), however, could not deposit remaining amount of Rs. 50,00,000/- (Rupees Fifty Lakhs) within stipulated period. The respondents are now trying to take over the possession of the secured assets.

2. The learned counsel for the applicant submits that applicant would deposit amount of Rs.8,00,000/- (Rupees Eight Lakhs) by tomorrow i.e. 18th February, 2022 and remaining amount of Rs.42,00,000/- (Rupees Forty Two Lakhs) within one month.

3. Mr. Tungar, learned counsel for respondent Nos. 6 and 7 opposes the request made by the applicant and submits that ample opportunity was granted to the applicant, yet amount outstanding is not deposited.

4. Considering the fact that the applicant has deposited an amount of Rs. 50,00,000/- (Rupees Fifty Lakhs) and shown readiness to deposit the balance amount, we extend the time to deposit the amount as directed by this Court under order dated 20th February, 2020 by three (03) weeks from today. The applicant shall deposit amount of Rs. 8,00,000/- (Rupees Eight Lakhs) by tomorrow and remaining amount of Rs. 42,00,000/- (Rupees Forty Two Lakhs) within a period of three weeks from today.
5. It is made clear that failure to deposit the amount as directed by this Court under order dated 20th February, 2020, the present order would entail interim relief being axiomatically vacated.
6. The Civil application is disposed of.
7. Parties to act upon the authenticate copy of this order.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

LATERON:

Aforesaid order is passed at about 3.00 p.m. At the end of the Board, Mr. Tungar, the learned counsel for respondent Nos. 6 and 7 mentions the matter and submits that possession of the secured assets has been taken and the seal has been put at 2.25 p.m.

2. In light of above, we direct that till next date the parties shall maintain status-quo as on today in respect of secured assets.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE