

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3108 OF 2022

M/s. Evisipro Solutions Private and Ors. ..Petitioners
Versus

Mrs. Ishwari Shah ..Respondent

Mr. Karan Gajra i/by Rashmi D. Dongre, for the Petitioners.

Mr. Sumit Sonare, for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 23rd MARCH, 2022

PC.

1. Heard rival parties.

2. In view of observations made in paragraph 10 of the impugned order, which reads thus :-

“10) In the light of forgoing discussion I am of the considered opinion that defendant has raised triable and legal issue. He has indicated substantial defence to raise. In view of all these facts, it is just and necessary to grant leave to defend suit to the defendant. Therefore, I answer point No.1 as “Yes”.”

3. In my opinion, the order impugned warrants interference to the reduction of the amount to be deposited. As such, amount of Rs.1,50,000/- directed to be reduced to Rs.75,000/- to be deposited within four weeks from today.

4. The petition as such stands partly allowed.

[NITIN W. SAMBRE, J.]