

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1869 of 2022

Mrs.Zahida Shaikh and ors .. Petitioners
Versus
State of Maharashtra, the Additional
Commissioner, Konkan Division
and anr .. Respondents

...

Mr.Vimlesh Singh for the petitioners.
Smt.V.S. Nimbalkar, AGP for the State respondent no.1.
Mr.Aktab Husain i/b Wahab Khan for respondent no.2.

CORAM: RAVINDRA V. GHUGE, J.
DATED : 22nd FEBRUARY, 2022

P.C:-

1 I have considered the submissions of the learned counsel for the petitioners and respondent no.2 and the learned AGP on behalf of respondent no.1.

2 A short issue is raised before this Court. In the Revision Application No.545/2021 filed by the petitioners herein before the Addl. Commissioner, Konkan Division, Mumbai, they have been protected by an ad-interim order dated 4/1/2022 on the condition that they would deposit 50% of the outstanding compensation amounts before the competent authority within

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eight days. The petitioners have failed to deposit the said amount. Their request for extension of time has been negated. A solemn statement is made across the bar that the petitioners have the money in their pocket today and will be depositing it before the competent authority, as may be directed by this Court.

3 The learned Advocate representing respondent no.2 submits that if the amount is deposited within 7 days, they may be granted liberty to withdraw the amount without prejudice to their rights.

4 In view of the above, this Petition is disposed off by recording the statements of the parties as under :-

(a) The petitioners shall comply with the order passed by the Appellate Authority, by depositing the amount before the competent authority on 1/3/2022.

(b) A request for extension of time, even for one day, would not be entertained.

(c) After the amount is deposited, respondent no.2 would be at liberty to withdraw the said amount without prejudice to the rights of the parties and such withdrawal would be subject to the result of the proceedings before the Appellate Authority.

RAVINDRA V. GHUGE, J