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W.M.P.No.5534 of 2022

W.M.P.No.5534 of 2022

in

W.P.No.25430 of 2021

M.DHANDAPANI,J.

This petition is filed to modify the condition imposed on the petitioner by this Court in W.P.No.25430 of 2021 dated 09.12.2021.

2. This Court vide order dated 09.12.2021, granted liberty and permission to the petitioner to file appeal before the concerned Appellate Tribunal and till the appeal is taken on the file by the Appellate Tribunal, the respondent was directed not to precipitate the issue and not to take coercive steps against the petitioner **on condition that, the petitioner shall deposit a sum of Rs.2,00,00,000/- (Rupees Two Crores Only) within a period of four weeks from the date of receipt of a copy of the order dated 09.12.2021 and also to execute property security worth not less than Rs.5,00,00,000/- (Rupees Five Crores only) within a period of eight weeks from the date of receipt of copy of the order dated 09.12.2021, in favour of the first respondent.**

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that, the petitioner is unable to comply the condition imposed by this Court vide order dated 09.12.2021. Hence, the present



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modification petition is filed by the petitioner to modify the conditions imposed on the petitioner, terming the same to be onerous.

4. This Court had granted liberty and permission to the petitioner to file appeal, as the petitioner on his own volition was ready to deposit the above said amount and execute the property in favour of the first respondent. Therefore, the petitioner cannot now claim that the said condition is onerous and seeking modification of the above condition is impermissible. Hence, the present petition seeking modification stands **dismissed**. Hence, time is extended up to 05.04.2022 for complying condition.

17.03.2022

tri/skt

Note: Issure order copy on 22.03.2022

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