

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6229 of 2023

IN

WRIT PETITION NO.4878 OF 2022

RAMSING LUMBHA RATHOD

VERSUS

PRAFULLA MULCHAND BRAMECHA & OTHERS

...

Mr. S.D. Kulkarni, Advocate for the applicant

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CORAM : S.G. CHAPALGAONKAR, J.
(VACATION COURT)

DATE : 17th MAY, 2023

PER COURT :

. The present application has been moved seeking extension of time to deposit the amount of Rs.Fifteen Lakh as directed by this Court (Coram: **Nitin B. Suryawanshi, J.**) vide order dated 20th April, 2023 while disposing Writ Petition No.4878 of 2022. It appears that this Court vide order dated 20th April, 2023 allowed the writ petition filed by the applicant - petitioner and put a condition to refund the amount of Rs.Fifteen Lakh that has been accepted by the applicant from the defendants within a period of four weeks from the date of receipt of the writ of this order.

2. It appears that the applicant is enjoying the said amount. It is also evident that the applicant has challenged the order passed in

Writ Petition No.4878 of 2022 before the Apex Court. However, the applicant is making prayer for extension of time to refund the amount on the ground that he needs some more time to adjust the requisite amount.

3. Considering the totality of circumstances and reasons stated in the application, the applicant is granted two weeks more time to refund the amount of Rs.Fifteen Lakh, in addition to the time of four weeks granted vide order dated 20th April, 2023. However, such extension shall be subject to deposit of costs of Rs.20,000/- within a period of one week from the date of passing of this order.

4. The costs to be deposited in the court of Civil Judge Senior Division at Aurangabad in Regular Civil Suit No.575 of 2011. On deposit of the costs, the respondent nos.1 and 2, who are contesting respondents, would be entitled to receive the costs in equal proportion. In case of default in deposit of the costs, the order dated 20th April, 2023 shall take effect.

5. The Civil Application stands allowed in aforesaid terms.

(**S.G. CHAPALGAONKAR**)
VACATION JUDGE