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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10146 OF 2022

Sanjay Khashaba Chikhale ... Petitioner
vs.
Balwant Bapurao Chikate ... Respondent

Mr. Yogesh Patil for the Petitioner.

Mr. Chandrakant Yadav for the Respondent.

CORAM : SANDEEP V. MARNE, J.

DATED : 24 JANUARY, 2023

P.C. :-

1. By this petition the petitioner assails order dated 8 July 2022 passed by the 3rd Jt. Civil Judge, S. D., Karad granting conditional leave to the petitioner on condition of depositing 50% of the amount.

2. After the petition was heard for some time, the learned counsel for the petitioner on instructions of the petitioner fairly submits that the petitioner is willing to deposit 50% of the amount and some reasonable time be granted for such deposit.

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3. Accordingly Writ Petition is disposed of by granting liberty to the petitioner to deposit 50% of the amount in the trial court within a period of four weeks from today. In the event of deposit of such amount within the stipulated period of time the petitioner shall have leave to defend the Summary Civil Suit No. 8 of 2021. With the above directions Writ Petition is disposed of.

4. Needless to say that failure to deposit the amount within the stipulated period of time shall result in withdrawal of the leave to defend granted in favour of the petitioner.

(SANDEEP V. MARNE, J.)