

VRJ

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

WRIT PETITION NO.11779 OF 2023

Karim Jaria ... Petitioner

V/s.

Arunkumar Kharkar Through His
Constituted Attorney ... Respondent

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WITH

WRIT PETITION NO.11784 OF 2023

Karim Jaria ... Petitioner

V/s.

Arunkumar Kharkar Through His
Constituted Attorney ... Respondent

WITH

WRIT PETITION NO.11790 OF 2023

Karim Jaria ... Petitioner

V/s.

Manish Arunkumar Kharkar Through
His Constituted Attorney ... Respondent

Mr. Sachin Shetye with Mr. Shantanu Raktate with Mr.
Saurav N. Katkar for the petiitoner.

Mr. Rajendra Singh Saliya with Mr. Padam Kumar Jalan
for the respondent.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 5, 2023

P.C.:

1. By consent of the parties, following order is passed.
2. The undertaking of the petitioner filed today dated 5th October 2023 is accepted and marked as Exhibit-X for identification.
3. In view of undertaking filed and accepted by this Court, the petitioner is permitted to deposit the amount as stated in the undertaking.
4. In case the petitioner fails to comply with the undertaking, the Writ Petition Nos.11779 of 2023, 11784 of 2023 and 11790 of 2023 shall stand dismissed and impugned order dated 3rd August 2023 in Summary Civil Suit Nos.131 of 2019, 383 of 2019 and 382 of 2019 shall revived.
5. It is made clear that the proceedings of Summary Civil Suit Nos.131 of 2019, 383 of 2019 and 382 of 2019 shall stand stayed initially for period of one week and if the payment as per clause 2 of the undertaking is complied with, the proceeding shall remain stayed till 5th December 2023. If the petitioner pays full and final amount as per clause 4 of the undertaking, the suit shall stand dismissed without further reference to the Court.
6. The writ petitions stand disposed of.

(AMIT BORKAR, J.)