

Ashwini V

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1497 OF 2023
IN
WRIT PETITION NO. 4566 OF 2022
WITH
INTERIM APPLICATION NO. 1498 OF 2023
IN
WRIT PETITION NO. 4036 OF 2022
WITH
INTERIM APPLICATION NO. 1502 OF 2023
IN
WRIT PETITION NO. 3312 OF 2022
WITH
INTERIM APPLICATION NO. 1506 OF 2023
IN
WRIT PETITION NO. 3826 OF 2022
WITH
INTERIM APPLICATION NO. 1570 OF 2023
IN
WRIT PETITION NO. 2008 OF 2022**

CCI Projects Pvt Ltd	...Applicant
<i>In the matter between</i>	
CCI Projects Pvt Ltd	...Petitioner
<i>Versus</i>	
Union of India & Ors	...Respondents

Mr Abir Patel, with Lavina Bhargava, i/b Wadia Ghandy & Co, for
the Applicant/Petitioner in IA/1497/2023, IA/1502/2023,
IA/1506/2023.

Mr Chirag Kamdar, *with Abir Patel & Lavina Bhargava, i/b Wadia Ghandy & Co, for the Applicant/Petitioner in IA/1498/2023.*

Mr Vineet Naik, Senior Counsel, *with Abir Patel & Lavina Bhargava, i/b Wadia Ghandy & Co, for the Applicant/Petitioner in IA/1570/2023.*

Mr Rui Rodrigues, *with AJ Jaivhave & Purnima Awasthi, for Respondent No.1-UOI in IA/1497/2023, IA/1498/2023, IA/1502/2023, IA/1506/2023 & IA/1570/2023.*

Mr Aditya Deolkar, *for the Respondents No.3 & 4 in IA/1497/2023, IA/1506/2023.*

Mr Aditya Pratap, *for the Respondents No.3 & 4 in IA/1498/2023.*

Mr Moin Choudhari, *i/b Pamar Associates, for the Respondents No.3,4,6,49 & 53 in IA/1570/2023.*

**CORAM G.S. Patel &
 Neela Gokhale, JJ.**

DATED: 24th April 2023

PC:-

1. We see no reason why we should have to entertain these applications at all. The Applicants gave certain immovable properties as security until the time that they made their pre-deposits which are to be 100% now following orders of the Allahabad High Court and confirmed later by the Supreme Court. The appellate order of pre-deposit was self-operative. Since the Petitioners were late, they could not make the deposit and their immovable properties have continued as securities. Hence, these five Applications. All of them could as well have been made to the appellate authority.

2. We direct the Applicants to deposit the respective Demand Drafts in the appeals for the full amount of the pre-deposit with

interest, if any, ordered up to date before the 2nd Respondent and we direct the 2nd Respondent to accept the Demand Drafts in full satisfaction of the requirement of the 100% pre-deposit. This is to be done by Friday, 28th April 2023. The shops will stand released from security only once the Applicants have filed an Affidavit before this Court evidencing the pay in to the 2nd Respondent of the full amount of the pre-deposit. Upon that Affidavit being filed with the necessary proof of payment, the orders of 6th May 2022 and 7th July 2022 taking the four shops as security will stand modified to that extent and those shops will thus be released from security.

3. The applications are disposed of in these terms.
4. All contentions in the appeal are specifically kept open.

(Neela Gokhale, J)

(G. S. Patel, J)