



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 3510 OF 2024

IN FAST/17818/2021 WITH CIVIL APPLICATION NO. 7786 OF
2021 IN FAST/17453/2021 WITH CIVIL APPLICATION NO.
7787 OF 2021 IN FAST/17453/2021 WITH CIVIL
APPLICATION NO. 7790 OF 2021 IN FAST/17811/2021 WITH
CIVIL APPLICATION NO. 7791 OF 2021 IN FAST/17811/2021
WITH CIVIL APPLICATION NO. 7794 OF 2021
IN FAST/17814/2021 WITH CIVIL APPLICATION NO. 7795 OF
2021 IN FAST/17814/2021 WITH CIVIL APPLICATION NO.
7788 OF 2021 IN FAST/17818/2021 WITH CIVIL
APPLICATION NO. 7789 OF 2021 IN FAST/17818/2021 WITH
CIVIL APPLICATION NO. 7797 OF 2021 IN FAST/17821/2021
WITH CIVIL APPLICATION NO. 7792 OF 2021
IN FAST/17830/2021 WITH CIVIL APPLICATION NO. 7793 OF
2021 IN FAST/17830/2021 WITH CIVIL APPLICATION NO.
7796 OF 2021 IN FAST/17821/2021

HANUMANT KHANDU KHATKE

VERSUS

M.K.V.D.C., LTD., THR EX. ENGINEER, OSMANABAD MEDIUM
PROJECT DIVISION AND ORS

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Advocate for Applicant : Mr. Shaikh Shoyab.

AGP for Respondents-State : Mrs. M. L. Sangit.

Advocate for respective Respondent : Mr. A. M. Gaikwad.

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CORAM : S. G. MEHARE, J.

DATE : 16.04.2024

PER COURT :-

1. Civil application No.3510 of 2024 is filed by the respondent, for directing the appellants to deposit the decretal amount.

2. Learned counsel for the applicant submits that in the case of *Bhogvati Sahakari Sakhar Karkhana Ltd. Vs. Chaugule and Sons ; 2002 CJ (Bom.) 162*, the Court interpreted sub Rule 3 of Order 41 of CPC and held that though the stay to the execution of the money decree is not prayed for, the Court may direct the appellant to deposit the decretal amount.

3. Learned counsel for the appellant submitted a letter dated 14.06.2021 in which it has been mentioned that the amount of decree has been deposited with the Reference Court.

4. The application appears filed without taking proper instructions and on incomplete instructions. The applicant appears not diligent and unnecessarily spending the time by seeking directions from this Court. There is nothing to consider in this matter or spending the valuable time by filing such false and frivolous application.

4. Hence, civil application No.3510 of 2024 stands dismissed.

5. Remove the matters from board.

(S. G. MEHARE, J.)

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