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(This order is corrected as per order dated 6.8.2024 for speaking to minutes)

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

**CIVIL APPLICATION NO. 6276 OF 2024
IN WP/2567/2020**

**SUNIL DAULATRAO CHOUDHARI AND ANOTHER
VERSUS
DAULATRAO BABURAO CHOUDHARI AND OTHERS**

...

Advocate for Applicant : Mr. KADAM GAJANAN G.

AGP for Respondents: Mr. S.B. JADHAV.

Advocate for respondent Nos. 1 and 2 : Mr. R.R. KALE

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 1st JULY, 2024.

ORDER :-

By this application, a prayer is made seeking permission to deposit the entire amount of arrears as per the order dated 11.2.2020 passed in W.P. No. 2567 of 2020, and consequently, for restoration/continuation of the interim order dated 11.2.2020.

2. Mr. Kadam, learned advocate for applicants submits that vide order dated 11.2.2020, this Court was pleased to direct the parties to maintain status-quo subject to payment of Rs. 20,000/- p.m. to the respondents from February, 2020. The applicants could not deposit the amount regularly. As such, there are some arrears. The applicant shall deposit the entire amount and comply with the obligation under order dated 11.2.2020. He submits that three Demand Drafts of Rs. 2 Lakh each are ready and those will be deposited with the Registry of this court,

during the course of day.

3. Learned advocate for respondent Nos. 1 and 2 submits that applicants have deliberately delayed the deposit of the amount in terms of order dated 11.2.2020 passed by this Court. Therefore, he opposes continuation of interim relief. He also raises dispute as regards to the correctness of the amount and seeks direction against the applicant to deposit Rs. 40,000/- in addition to the amount sought to be deposited.

4. Without going into the disputed question as regards to the exact amount of arrears, the application deserves to be allowed in terms of prayer clauses (B) and (C). On deposit of the amount with the Registry of this court, same may be disbursed to respondent No.1. However, the disbursement of the amount shall be subject to final outcome of the petition. The applicant shall continue to deposit the monthly instalment of Rs. 20,000/- without any default. It is made clear that a single default would entail vacating of interim relief.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-