



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8203 OF 2024
IN CA/3178/2024 IN CA/11223/2023
IN
COMMERCIAL APPEAL NO. 02 OF 2023

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY PUBLIC
WORKS DEPT. MANTRALAYA AND ORS.

VERSUS

SWASTIK REALTY PVT LTD THROUGH ITS MANAGING DIRECTOR MR.
RAJENDRA LAXMAN WANI

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Mr. V. M. Kagne, Asstt. Govt. Pleader, Advocate for Applicant
Mr. J. N. Singh, Advocate for the Respondent-claimant

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 23rd August, 2024

ORDER:

1. The Appellant State secured an order of protection from this Court on 4th December, 2023 on the condition that 50% of the decretal amount would be deposited within 8 weeks in this court. The State is enjoying the interim orders ever since. By a further order dated 26th March, 2024, passed on Civil Application No. 3178 of 2024, the Civil Application was partly allowed in the light of the statement made by the State that a last chance may be granted. Time was extended upto 25th April, 2024 as a last chance. Yet the amount is not deposited.

2. After the execution proceedings has been initiated, this Civil Application is filed on 31st July, 2024 after the extended period expired on 25th April, 2024.

3. The learned Advocate for the original claimant submits that the State Government is cash strapped and has a lot of funds. Yet the amount is not deposited. He strenuously opposes the request for extension of time on the ground that the State had made a statement before this Court that a last chance be granted, when time was extended upto 25.04.2024. This Civil application is filed on 31st July, 2024.

4. We find that the State is only seeking extensions and is not depositing the money. When the last extension was granted, the State had made a statement that no further extension would be sought. In view of the above, the **Civil Application is rejected.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan