

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.283 OF 2024

Supriya Corn Products Pvt. Ltd. and Ors.

Applicants/
.. Org. Defendants.

Versus

M/s. Vijay Enterprises

Respondent/
.. Orig. Plaintiff.

.....

- Mr. Pushkal Mishra, Advocate for Applicants.
- Mr. Rajendersingh Saluja a/w. Mr. Sameer K. Chaudankar, Advocates for Respondent.

.....

CORAM : MILIND N. JADHAV, J.

DATE : MAY 06, 2024

P.C.:

1. Heard Mr. Mishra, learned Advocate for Applicants and Mr. Saluja, learned Advocate for Respondent.

2. The present Civil Revision Application impugns judgment and order dated 27.03.2024 passed below Exhibit-9 in Summons for Judgment No.262 of 2022 in Commercial Suit No.227 of 2022, *inter alia*, granting conditional leave to defend Commercial Suit No.227 of 2022 on deposit of entire amount as stated.

3. I have heard Mr. Saluja, learned Advocate appearing for the Plaintiff who is the Respondent before me.

4. Without delineating any opinion on merits of the matter, Mr. Mishra, learned Advocate for Defendants – Applicants after taking instructions from Applicants stationed in Hyderabad would inform the Court that Defendants would be ready and willing to deposit amount of Rs.8,00,000/- within a period of four weeks from today.

5. Mr. Saluja in his usual fairness has informed the Court that he would not object to any appropriate order being passed by the Court regarding deposit. The conduct of Mr. Saluja is appreciated by this Court.

6. In view of the above, the impugned judgment and order dated 27.03.2024 is sustained, save and except, Defendants are directed to deposit amount of Rs.8,00,000/- instead of Rs.14,00,000/- (principal plus interest) as delineated in its order by the Trial Court. Rest of the judgment remains same. The amount of Rs.8,00,000/- shall be deposited within a period of four weeks from today as agreed by the Applicants. Applicants shall not be granted any extension of time. If there is default the original impugned order shall revive without reference to this Court.

7. Needless to state that Commercial Suit No.227 of 2022 shall be decided and disposed as expeditiously as possible and in any event, within a period of four months from today in accordance with law. Parties are directed to co-operate with the learned Trial Court. Trial

Court is directed to give adjournments to the parties only if they are utmost necessary due to any emergency or exigency and not otherwise.

8. With the above directions, Civil Revision Application stands disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT
Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date: 2024.05.06
17:54:51 +0530