

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.862 OF 2023
IN
WRIT PETITION NO.1954 OF 2022**

VAIBHAV
RAMESH
JADHAV
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Dilipkumar Ahuja	... Applicant
<i>In the matter between</i>	
Theme Developers Pvt. Ltd.	... Petitioner
V/s.	
The Maharashtra Real Estate Regulatory Authority, Mumbai & Ors.	... Respondents

Mr. Rohan Cama with Mr. Anish Karande, Mr. Vinay Ansurkar and Mr. Kartik Vig for the applicant in I.A. & for respondent No.3 in W.P.

Mr. Arif Bookwala, Senior Advocate with Mr. Vikramjit Garewal, Ms. Mehek Kamdar, Mr. Karghil Shah, Mr. Hersh Choksi i/by Kanga & C. for the petitioner in W.P.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 28, 2024

P.C.:

1. The interim application is for direction to the petitioner to deposit the amount.
2. It is not in serious dispute that the petitioner has accepted Rs.5,25,00,000/- from the applicant. The petitioner has deposited Rs.3,00,00,000/- in this Court. It is, therefore, necessary for the petitioner to deposit balance amount of Rs.2,25,00,000/- within six weeks from today *or within six weeks from today* in three equal installments.

3. Learned Senior Advocate for the petitioner, on instructions, states that the petitioner is ready to file an undertaking within one week from today that he will deposit amount of Rs.2,25,00,000/- within six weeks *from today or within six weeks from today* in three equal installments. On furnishing such undertaking, the ad-interim relief granted by this Court is continued for period of six weeks.
4. It is made clear that in case the petitioner fails to file undertaking within one week from today or fails to deposit amount within six weeks from today, the ad-interim relief granted earlier shall stand vacated forthwith.
5. It is made clear that if the petitioner fails to comply with the undertaking, in addition to vacating the ad-interim relief, action under the provisions of the Contempt of Courts Act, 1971 shall be initiated against the petitioner.
6. If the petitioner deposits the amount within six weeks from today, the ad-interim relief granted earlier shall continue till the Court hears the matter for admission.
7. Interim application stands disposed of in above terms. No costs.
8. List the writ petition on **10th April 2024**.

(AMIT BORKAR, J.)

Note: This order is modified as per order dated 5th March 2024. The corrections in paragraphs 2 and 3 are shown in italicize.