

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.432 OF 2024
WITH
CIVIL REVISION APPLICATION NO.26 OF 2024

SATISH
RAMCHANDRA
SANGAR

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Date: 2024.12.05
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Sou.Deepa Chandrashekar Shetty and Anr.
Through their P.O.A. : Ashok Bhaskar Shetty ...Petitioners/Applicants

V/s.

Milind Jaykumar Kole ...Respondent

Mr.Yuvraj Narvankar i/b. Mr.Prasad Gajbhiye and Mr.N.B. Patil:-	Advocates for Petitioners/Applicants.
Mr.Anilkumar Patil a/w Ms.Zeel Jain and Mr.Digvijay A. Patil:-	Advocate for Respondents in both Matters.

CORAM : S. M. MODAK, J.
DATE : 2nd DECEMBER 2024

P. C. :-

1. Heard learned Advocate Shri.Narvankar for the Petitioners and Applicants in Civil Revision Application and also heard learned Advocate Shri.Patil for the Respondents in both the proceedings.
2. The order allowing the amendment in the Plaint is challenged by

the Defendants. So also, the order refusing return of plaint is also challenged by the Defendants.

3. On 5th March 2024, this Court (Coram : Milind N. Jadhav, J.) has thought it fit to convey the parties that amicable settlement is in their best interest. In furtherance of the same, this Court (Coram : Milind N. Jadhav, J.) on 28th March 2024, recorded the submission of Mr.Patil on behalf of the Respondents about deposit of Rs.1,00,000,00/- (Rupees One Crore) within ten (10) days. The amount is deposited with the Registry not in 10 days but subsequently.

4. On 28th March 2024 itself, the Respondents were directed to file an Affidavit / Undertaking about raising of remaining amount from Rs.11,50,00,000/- (Rupees Eleven Crore Fifty Lakh). The Respondent has filed an Affidavit affirmed on 10th April 2024. Mr.Patil invited my attention to Para Nos.2,3 and 4 of the Affidavit. According to Mr.Narvankar, the averments in respect of raising further amount and the time span for payment are vague.

5. Today, both the learned Advocates on the basis of instructions, submitted that the parties have conducted several meetings but they could not arrive at settlement. In view of that, both of them requested for listing both the matters for hearing.

6. In view of that, both these matters be fixed on **8th January 2025**.

To be listed “**High on Board**”.

7. Even, the parties can utilise this time for settlement, if they want.

Even, on the next date, if they will request for referring the matter to mediation, Court will certainly consider it. Now, the issue remains about disbursal of Rs.1,00,000,00/- (Rupees One Crore). It will be decided on the next date.

8. An ad-interim relief, granted earlier, to continue till next date.

[S. M. MODAK, J.]