

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4352 OF 2024

Laharibhai Sagarmal Solanki

... **Petitioner**

Versus

Kisan Kashinath Jadhav (Decd)

Thr. Legal Heir Jagadish Kisan Jadhav

... **Respondent**

Mr. Ajay G. Khaire for the Petitioner.

Mr. Sumit Kothari for the Respondent.

CORAM : SANDEEP V. MARNE, J.

DATE : 5 AUGUST 2024.

P.C. :

1) The challenge in the present Petition is to the Order dated 28 July 2023 passed by District Court Pune allowing the application filed by Respondent-Appellant for enlargement of time to deposit costs of Rs. 1,000/- imposed vide Order dated 9 September 2014.

2) The District Court has already condoned the delay and enlarged the time by imposing costs of Rs.50,000/- on the Respondent-Appellant. Considering the nature of Order that is passed by the District Court, where the Respondent-Appellant is already heavily penalized by imposing costs of Rs.50,000/- for delay in deposit of costs of Rs. 1,000/-, I am not inclined to

interfere in the same in exercise of jurisdiction under Article 227 of the Constitution of India. Writ Petition is accordingly rejected.

3) Considering the fact that, the Appeal is pending since the year 2014, I am sure the learned District Judge shall accord due priority for its expeditious disposal.

[SANDEEP V. MARNE, J.]