



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11728 of 2024
IN
FIRST APPEAL NO.1330 OF 2024

Dr.Rutuja Kapil Bharadwaj and Anr.

... Applicant.

Versus

Smt. Savita Subhash Bharadwaj

... Respondent.

Mr. Ashutosh Kulkarni a/w. Mr.Sachin Hande, for the Applicant.

Mr.Vishwanath Talkute, for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : August 27, 2024

P. C. :

1. By this Interim Application, the Applicant seeks recall of the order dated 1st July, 2024 passed by this Court whereby the stay granted was vacated for non-compliance of the deposit of 50% of the decretal amount alongwith interest.

2. Learned counsel appearing for the Applicant submits that the decretal amount alongwith interest is about Rs.1 Crore and by order of 6th May, 2024, this Court had recorded the willingness of the Appellant to deposit 50% of the said amount. He submits that the stay was granted subject to amount being deposited within four weeks, however, instead of depositing 50% of the said amount, part amount

was deposited. He submits that the balance amount is ready and will be deposited within a period of two days from today.

3. In light of the above, although there is opposition by Mr.Talkute, learned counsel appearing for the Respondent, as the Appellant has kept the balance amount ready and is willing to deposit the same, the order of 1st July, 2024 is recalled. Consequently order of 6th May, 2024 is revived. Interim Application stands allowed.

[Sharmila U. Deshmukh, J.]