

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 12836 OF 2024
IN
WRIT PETITION NO. 15804 OF 2023

Gangadhar S. Shetty And Anr

... Applicants

Versus

Hemant Nagardas Gandhi

... Respondent

Mr. Ranjeev Carvalho *i/b Mr. Sunil A. Humbre, for the Applicants.*

Mr. Drupad Patil *a/w Mr. Sangram Suryawanshi, for the Respondent.*

CORAM : SANDEEP V. MARNE, J.

DATE : 23 SEPTEMBER 2024.

P.C. :

1) This Interim Application is filed seeking extension of time to make deposit in pursuance of order passed by this Court on 1 July 2024. It appears that the Applicants are negligent in not depositing the 50% amount directed by this Court within 60 days, which came to an end by 31 October 2024. Furthermore Petitioner has also failed to deposit the monthly interim compensation from March 2024 to July 2024 on or before 10 July 2024. This is how there are twin defaults on the part of the Applicants. Mr. Carvalho the learned counsel appearing Applicants would make an earnest request for grant of extension of

time on the ground that the Applicants were facing financial constraints. He would make a statement that the Applicants would deposit the entire amount of Rs.51,50,000/- within the total period of 120 days. He would also make a statement that the entire amount of interim monthly compensation from March 2024 till September 2024 shall also be deposited by the Applicants immediately.

2) By way of indulgence and by last chance, the Applicants are permitted to deposit the entire amount of Rs.51,50,000/- together with interest at the rate of 9% thereof by 31 October 2024. The time to deposit the monthly interim compensation for the period from March 2024 till September 2024 is also extended and the Applicants shall pay the said amount of interim compensation before the Small Causes Court on or before 30 September 2024. The Appellate Court shall proceed to decide the Appeal only after the time for deposit of the above amounts expires. With the above direction the Interim Application is disposed of.

3) Since the time limit for making deposits is extended, the possession warrant issued by the executing Court shall not be implemented till 31 October 2024.

[SANDEEP V. MARNE, J.]