



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 841/2024

Ankit Jagdish Panchmiya

Vs.

**Sati Servo Care Centre, a registered partnership firm through its
partner, Deviprasad s/o Pralhadrai Agrawal**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.R. Dawda, Advocate for petitioner

CORAM: BHARAT P. DESHPANDE, J.

DATED : 5th MARCH, 2024

Heard learned counsel for the petitioner.

2. In the present petition, the order challenged is dated 05/01/2024, passed by the learned trial Court, wherein the petitioner is directed to furnish bank guarantee of Rs.23,00,000/- (Rs. Twenty Three Lac) under Order XXXVIII Rule 5 of the Code of Civil Procedure, for the satisfaction of any decree which would be passed in case the plaintiff / respondent produces evidence to that effect.

3. The learned counsel for the petitioner though argued on merit and when this Court has expressed that at least bank guarantee with regard to 50% of the amount is required to be furnished,

on instructions, he now submits that the petitioner / defendant is ready to furnish bank guarantee to the tune of Rs.11,50,000/- (Rs. Eleven Lac Fifty Thousand). However, he submits that the petitioner / defendant will furnish such bank guarantee within a period of three months

4. Considering the above submissions and the fact that the matter is pending before the learned trial Court, such concession could be accepted.

5. It is made clear that the petitioner / defendant must furnish such bank guarantee of Rs.11,50,000/- (Rs. Eleven Lac Fifty Thousand) within a period of three months from today, failing which he has to furnish the bank guarantee as directed by the learned trial Court.

6. With these directions, the writ petition is disposed of.

7. The parties to act on the authenticated copy of this order.

(BHARAT P. DESHPANDE, J.)