

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8132 OF 2024

IN

FIRST APPEAL (St.) NO. 8672 OF 2024

Growmax Medicare Pvt. Ltd. and Others

...Appellants

Versus

Concept Pharmaceutical Ltd.

...Respondent

Mr. Sumit Kothari for the Appellant.

None for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : 8th April, 2025.

P. C. :

1. The present Application has been filed seeking stay of the impugned judgment and decree dated 4th January, 2024.
2. The decree is money decree and deposit is the rule. Sufficient cause has to be shown for waiver of deposit of decretal amount along with accrued interest. In the present case, the impugned judgment states that though the Applicant was served and was represented by Advocate, the proceedings were not defended and decree came to be passed. There is no sufficient cause to waive the deposit as Applicants were well-aware of pendency of the proceedings and has chosen not to be diligent enough to defend the same.

3. In light of the above, the impugned judgment and decree dated 4th January, 2024 passed in S.C. Suit No. 2784 of 2014 is stayed subject to deposit of entire decretal amount along with accrued interest as of today within a period of eight weeks from today.
4. Interim Application is allowed in the above terms.

[Sharmila U. Deshmukh, J.]