

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5265 OF 2025

Dande Jewellers Pvt. Ltd. and Ors. .. Petitioners
Vs.
Circle Officer, Deolali, Dist. Nashik and Ors. .. Respondents

Mr. Surel S. Shah, Senior Advocate, with Mr. B.A. Walimbe and Mr. Anant Vadgaonkar, Advocates for the Petitioners.

Mr. N.K. Rajpurohit, Assistant Government Pleader for Respondent Nos.1 to 3 and 6.

Mr. Nikhil Rajani with Mr. Dhruvam Gaikwad, Advocates, i/by V. Deshpande & Co., for Respondent No.4.

**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**

DATE : 24TH APRIL 2025.

PC. :

1. The petitioners are aggrieved by the order dated 21st March 2025 passed by the learned I/c. Presiding Officer, Debts Recovery Tribunal-III by which the petitioners were directed to deposit an amount of Rs.40,00,000/- by 4:00 p.m. on the date of the order. It is submitted by the learned Senior Advocate for the petitioners that the condition that was imposed could not be complied with as the order was passed at about 2:30 p.m. and the same was uploaded at 3:30 p.m. By the time the amount could be deposited, the Bank had closed.

2. Prima-facie, the direction in question does appear to be impractical to comply with and in our view, some short time to test the bonafides of the petitioners in the light of the statement made before the Debts Recovery Tribunal that the petitioners were prepared to deposit an amount

that was reasonably viable can be granted. To test the bonafides of the petitioners, the time to comply with the aforesaid direction is extended till 25th April 2025.

3. List on 28th April 2025 after urgent matters.
4. The objection raised by the respondent no.5 as regards availability of alternate remedy is kept open.
5. Parties to act on authenticated copy of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]