

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6528 OF 2025
IN
FIRST APPEAL NO. 825 OF 2018

Kamladevi Manikchand Bhacha and Others

...Applicants

Versus

Hiralal Sankata Thakur
(since deceased, through LRs) and Others

...Respondents

Mr. Suneel D. Mogre for Appellant.
Mr. Krishnan Iyer i/b Pragnya Legal for Respondent.
Mr. Pradip Rajaram Kadam for Respondent No. 2.

Coram : Sharmila U. Deshmukh, J.

Date : 24th March, 2025.

P. C. :

1. At the outset, learned counsel appearing for Respondents tenders the Affidavit-in-reply. The same is taken on record.
2. Interim Application has been preferred seeking condonation of delay of 60 days caused in depositing the amount as directed by order dated 2nd May, 2024.
3. Learned counsel appearing for Applicants submits that by order dated 2nd May, 2024, Applicants were directed to deposit Rs. 40,000/- per month onwards and to clear arrears from the date of order passed by the Trial Court, i.e. 50% within three months and remaining 50%

within six months from the date of order. He would submit that there is delay of 60 days in clearing the remaining 50% within six months.

4. Learned counsel appearing for Respondents submits that amount stated in the said Application is not correct amount and disputes the said amount as constituting 50% of the arrears. It is open for Respondents to take out an appropriate Application in event, the amount is disputed.

5. As of today, the Application is only for condoning the delay of 60 days in complying with deposit of remaining 50% within 6 months as per calculation of Applicant.

6. For the reasons stated in Application, Interim Application is allowed.

7. The Applicant is permitted to deposit the amount in the Registry within a period of two weeks from today.

8. It is clarified that permission to deposit the amount would not mean that the amount which has been deposited is accepted as correct amount by this Court.

[Sharmila U. Deshmukh, J.]