

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3448 OF 2026
IN
WRIT PETITION NO.3214 OF 2023

Messrs Aparna Properties Pvt. Ltd
And Anr

**...Applicants/
Petitioners**

V/s.

M/S. Forbes Gokak Ltd And Anr

...Respondent

Mr. Keyur P. Kulkarni, for the Applicants.

Ms. Pooja Thakkar for the Respondent.

CORAM: SANDEEP V. MARNE, J.

DATED: 4 May 2026.

P.C.:

1) The Interim Application is filed seeking extension of time for deposit of monthly interim compensation from December 2025 to April 2026.

2) Mr Kulkarni, the learned counsel appearing for the Applicant submits that interim compensation from December 2025 could not be deposited on account of ill-health of Applicant No.2. On the other hand, Ms. Thakkar, the learned counsel appearing for Respondent No.1 invites the

attention of the Court to order passed by this Court on 16 November 2025 in connection with order proceedings in which Respondent No.2 appeared before this Court. She accordingly questions the claim of ill-health of Respondent No.2 as a pretext for not depositing monthly compensation for the last 6 long months. She invites attention of this Court to order dated 6 November 2024 by which extension was also sought for making deposit in terms of para-5(ii) of the order dated 9 May 2025. She accuses the Applicants of becoming habitual in not making deposits within the time limit prescribed by this Court.

3) Considering the above circumstances in my view, one opportunity needs to be granted to the Applicant to prosecute the Appeal on merits by condoning the delay in depositing the arrears of compensation from December 2025 to April 2026. However, since Applicant is found negligent in not making timely deposit of interim compensation, the Applicant deserves to be saddled with some costs. Considering the position that interim compensation has not been deposited for the last 5 long months and the arrears are to the tune of Rs.15,00,000/- it would be appropriate to direct payment of costs of Rs.1,00,000/- by the Applicant to Respondent No.1. Accordingly, the Applicants are permitted to deposit the arrears of interim compensation from December 2025 to April 2026 on/or before 10 May 2026 subject to payment of costs of Rs.1,00,000/- to the Respondent/Plaintiff on/or before 10 May 2026. With the above directions, the Interim Application is disposed of.

NEETA
SHAILESH
SAWANT

[SANDEEP V. MARNE, J.]

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NEETA SHAILESH
SAWANT
Date: 2026.05.05
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