



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

CIVIL APPLICATION (CAF) NO. 1640 OF 2026
IN
FIRST APPEAL NO. 768 OF 2024

Harish s/o Santhanam Muthukrishnan and Ors. Vs. Dinesh s/o Bhagchand Kochar

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. Ayushi Dangre, Advocate for applicants.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 10.04.2026

Heard Advocate Ayushi Dangre for
applicants. Nobody appears for respondent.

2. By this application, the appellant seeks extension of time, condonation of delay and permission to furnish Bank Guarantee in terms of order dated 22.08.2025 passed by this Court in this appeal. It is pointed out that by order dated 22.08.2025, this Court has granted an interim relief by way of stay to the execution of the decree in question, subject to furnishing Bank Guarantee of the decretal amount within a period of four weeks from that date. However, the Bank Guarantee was not furnished within the stipulated time and after the period was expired, the appellant filed an application bearing Civil Application (CAF) No.3827/25,

on which, this Court passed order on 13.02.2026 granting further period of four weeks for furnishing the Bank Guarantee.

3. Learned counsel for the applicant submits that in accordance with the order dated 13.02.2026, the appellant has taken steps to obtain the Bank Guarantee and the Bank Guarantee was ready on 30.03.2026, however, the same could not be furnished within the period of four weeks from 13.02.2026. She further submits that the Bank Guarantee is now ready and can be furnished immediately.

4. The appellant/applicant has mentioned several reasons in the application (Civil Application (CAF) No.1640/2026) for delay in submitting the Bank Guarantee within stipulated period and has stated specifically that the Bank Guarantee is now obtained and prayed for condonation of delay in furnishing the Bank Guarantee.

5. Having regard to the contents of the civil application and submissions advanced in the interest of justice, permission needs to be granted to the applicant to furnish/deposit the Bank Guarantee by condoning the delay. It has to be noted that despite sufficient time granted earlier, the Bank Guarantee was not furnished and

hence, the permission needs to be granted subject to certain costs.

6. In view of above, the Civil Application (CAF) No.1640/2026 is allowed and the appellant is permitted to furnish the Bank Guarantee immediately and in any case within two days from the date of uploading of this order, subject to costs of Rs.15,000/- to be deposited with 'Public Welfare Account' bearing No.129712010001014, IFSC Code UBIN0812978, Union Bank of India, Branch High Court, Civil Lines, Nagpur, within further period of one week.

7. On furnishing the Bank Guarantee in accordance with order dated 22.08.2025, the interim relief granted by this Court shall stand revived.

8. The civil application is allowed and disposed of accordingly.

(Prafulla S. Khubalkar, J.)