

**23.07.2025**

Case called out.

Learned counsels for both the parties are present.

It appears from the order dated 14.07.2025 that the Court has extended the period of deposit 20% amount and fixed the case for hearing on 23.07.2025.

Learned counsel appearing for the appellant submits that he has ready to deposit 20% amount of Rs. 2,68,000/- as indicated by order dated 28.03.2025 and the penalty as awarded in order under challenge would also be deposited along with 20% amount, but the learned Court which has passed the order under challenge is raising objection that it would not take/deposit the amount as the statutory period has passed.

Once the Court has extended the period for deposit of 20% of the amount and that remains unchallenged, then the judicial discipline demands that the Court which has passed the order under challenge must take the deposit without raising any objection. Be that as it may. If the appellant deposits the amount before the Court which has passed the order under challenge, the Court would take the deposit without raising any objection. It is also directed that the respective receipt shall be issued and the appellant is directed to file the receipt in the present appeal.

The opposite party is present. He submits that the money should be released in his favour. It is made clear that if any deposit is made, opposite party shall be at liberty to file an appropriate application for release of the amount which shall be subject to decision of this appeal and if such application is filed then the same shall be disposed of in accordance of law.

**Sessions Judge,  
Lalitpur.**