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

**CIVIL APPLICATION NO.360 OF 2019  
WITH  
FIRST APPEAL STAMP NO.23062 OF 2018**

Mr. Manoj Satyanarayan Gupta ...Applicant/Appellant  
Vs  
Mr. Devdas Vikram Gupta ...Respondent

**WITH  
CIVIL APPLICATION NO.361 OF 2019  
WITH  
FIRST APPEAL STAMP NO.23062 OF 2018**

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Mr. Ditendra Mishra a/w. Mr. Prerith Menon and Mr. Dhiraj  
Kanade for the Applicant/Appellant.  
Mr. S. C. Singh a/w. Mr. A. K. Kharwar i/b Mr. V. V. Singh for the  
Respondent.  
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**CORAM : Jitendra Jain, J.**

**DATED : 9 April 2026**

**PC:-**

1. Respondent is directed to deposit approximately Rs.10 Lakhs pursuant to the judgment and decree dated 8 June 2016 by which the respondent was directed to refund Rs.4 Lakhs alongwith 6 % interest p.a.
2. It is important to note that respondent accepted Rs.4 Lakhs in 2008 and instead of handing over the possession, he continued to retain the said amount for which the appellant had to file a suit. In spite of the suit being decreed by directing the respondent to return Rs. 4 Lakhs alongwith interest, till today, the amount has not been returned and the appellant is made to run by filing

the Execution petition. This is dishonest conduct of the respondent.

**3.** Therefore, the respondent is directed to deposit Rs.10 Lakhs on or before 16 April 2026. I am conscious that only one week is given to the respondent. In the facts of the present case, when the respondent is sitting over Rs.4 Lakhs from 2008 inspite of there being a decree to refund the same. Such litigant does not deserve any leniency from the Court. If the amount of Rs.10 Lakhs is not deposited on or before 16 April 2026 the Court will pass appropriate order on Civil Application No.360 of 2019 for condonation of delay.

**4.** Stand over to 16 April 2026.

**(Jitendra Jain, J)**