

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil First Appeal No. 322/2019

Municipal Corporation, Udaipur, Through Commissioner,
Municipal Corporation, Udaipur.

----Appellant

Versus

1. Bhuri Bai W/o Shri Moda Gayri, (Dead) R/o 84, Village Rodhda, Post Datisar, Tehsil Girwa, District Udaipur (Raj.)
2. Moda Gayri S/o Shri Deva Gayri, (Dead) R/o 84, Village Rodhda, Post Datisar, Tehsil Girwa, District Udaipur (Raj.)
3. Smt. Roopi Bai W/o Late Shri Dhanna Gayri, R/o 84, Village Rodhda, Post Datisar, Tehsil Girwa, District Udaipur (Raj.)
4. Miss Manju D/o Late Shri Dhanna Gayri, Minor, Minor Represented By Natural Mother Smt. Roopi Bai. R/o 84, Village Rodhda, Post Datisar, Tehsil Girwa, District Udaipur (Raj.)
5. Deepak S/o Late Dhanna Gayri, Minor, Minor Represented By Natural Mother Smt. Roopi Bai. R/o 84, Village Rodhda, Post Datisar, Tehsil Girwa, District Udaipur (Raj.)
6. State Of Rajasthan, Through District Collector, Udaipur.
7. District Superintendent Of Police, Udaipur (Raj.)
8. Public Works Department, Rajasthan, Through - Additional Chief Engineer, Address - Near Gulab Bagh, Udaipur (Raj.)
9. Urban Improvement Trust, Udaipur, U I T Chouraha, Udaipur.
10. Garden Superintendent, Gulab Bagh, Udaipur (Raj.)

----Respondents

For Appellant(s) : Mr. Anurag Shukla

For Respondent(s) : Mr. Chitransh Joshi

HON'BLE MR. JUSTICE FARJAND ALI
Order

28/08/2025

1. The matter comes upon an application moved on behalf of the appellant averring therein that though in pursuance of the order dated 29.07.2019 passed by a co-ordinate Bench of this Court, the appellant had deposited Rs. 3,50,000/- with interest a total of sum of Rs.5,02,250/-. However, there was a delay of few

days in depositing the same. The amount has been received by the decree holder. Noticing the delay in depositing the amount, the learned Court below proceeded with the execution proceeding and now warrant has been issued for recovery of the rest of the amount.

2. In the peculiar circumstances of the case and looking to the bona fide error in making delay in depositing the amount, the above application is allowed. The amount was supposed to be deposited within a period of four weeks, in which, delay was caused. By this order, the delay is condoned. The recovery of rest of the amount shall remain stayed till disposal of the appeal.

(FARJAND ALI),J

1-divya/-