



FA No. 64 of 2016

Hon'ble Servesh Kumar Gupta, J.

Mr. Vishwa Deepak Bisen,
Advocate for the appellants.

Smt. Munni Devi W/o Shri Ram Prakash Gupta has come up before this Court by way of moving the application no.6559 of 2016 supported with the affidavit, wherein it has been deposed that her husband is not mentally well and the financial condition of her family is extremely poor; they only have one house and appellants are living there with their family; they have got no movable or immovable assets.

It is further stated that she made every effort to make compliance of this Court order dated 30.6.2016, but their financial condition was so poor that they could not able to deposit the amount as per direction of this Court. Further, they are very hopeful about success of this appeal.

That apart, Smt. Munni Devi has orally submitted before the Court that, in fact, she along with her husband borrowed only Rs.2,00,000/- from the plaintiff and out of such amount Rs.1,00,000/- has been returned in installments. They will return rest of the amount in due course.

Hearing the plight and considering the extremely miserable position of the lady and her family who has the responsibility to bring up five children, the Court hereby exempts the appellants to deposit the money, as directed vide order dated 30.6.2016.



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Issue notices to the respondents.

Steps be taken within a week.

Call the LCR.

List after service in due course for final hearing.

Modification application (CLMA No.6775 of 2016) stands allowed accordingly.

(Servesh Kumar Gupta, J.)
11.07.2016

Ravi