

ITEM NO.125

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 11363/2011

NEW MARKET PMC STALL HOLDERS ASSN.

Appellant(s)

VERSUS

PATNA MUN.CORP. & ANR.

Respondent(s)

(IA No. 130684/2022 - EXEMPTION FROM FILING O.T. IA No. 130681/2022  
- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

C.A. No. 11364/2011 (XVI)

(IA No. 1/2010 - CONDONATION OF DELAY IN FILING IA No. 139532/2025  
- MODIFICATION)

Date : 07-08-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI  
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Appellant(s) : Mr. Gaurav Agrawal, Sr. Adv.  
Mr. C. George Thomas, AOR

Mr. Yashraj Singh Deora, Sr. Adv.  
Mr. Harshvardhan Jha, Adv.  
Mrs. Yugandhara Pawar Jha, AOR  
Mr. Aman Pathak, Adv.  
Mr. Sumeet Mishra, Adv.  
Mr. Priyesh Mohan Srivastava, Adv.

For Respondent(s) : Mr. Neeraj Shekhar, AOR  
Mrs. Kshama Sharma, Adv.  
Mr. Ramendra Vikram Singh, Adv.  
Mr. Ujjwal Ashutosh, Adv.  
Mr. Rajesh Kumar Maurya, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Civil Appeal No. 11363 of 2011

1. Apropos the previous order, direction was issued to pay Rs.2,00,000/- (Rupees two lakhs only) in four equal installments of Rs.50,000/- each within a period of four months, learned

senior counsel Mr. Gaurav Agrawal, submits that they could not deposit the amount within the time as specified. He prays for some more time to deposit the same. Considering the aforesaid and looking to the size of the shops, we deem it appropriate that in place of Rs.2,00,000/-, the appellants ought to have deposited Rs.2,50,000/- (Rupees two lakh fifty thousand only) now, in total subject to outcome of the appeal within a period of two months.

2. With the above terms of deposit, the order dated 03.04.2025 is modified and time as prayed for is granted.

**Civil Appeal No. 11364 of 2011**

3. An interlocutory application No. 139532 of 2025 seeking modification of the order dated 03.04.2025 has been filed *inter alia* contending that the shops in question are small in size and of 80 sq. ft area approximately. Therefore, the rent as directed on 03.04.2025 for payment is on higher side.

4. Considering the aforesaid, we reduce the amount of deposit to Rs.1,50,000/- (Rupees one lakh fifty thousand only) in place of Rs.2,00,000/- (Rupees two lakhs only). As per the chart attached with the application, some amount has been deposited, however the remaining amount be deposited now within two months. Accordingly, modifying the order dated 03.04.2025, the IA is disposed of.

5. List the appeals after two months.

**(GULSHAN KUMAR ARORA)**  
AR-CUM-PS

**(NAND KISHOR)**  
ASSISTANT REGISTRAR