

ITEM NO.1

COURT NO.11

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 27343/2008

(Arising out of impugned final judgment and order dated 13-08-2008 in Notice of Motion No. 3859/2007 in Summary Suit No. 4979/1998 passed by the High Court Of Judicature at Bombay)

MRS. PRABHA P. SHENAI

Petitioner(s)

VERSUS

CROWN MARITIME CO. (INDIA) PVT.LTD.
(THROUGH OFFICIAL LIQUIDATOR)

Respondent(s)

(With appln. for permission to file additional document, exemption from filing O.T.)

Date : 06-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Senthil Jagadeesan, AOR
Ms. Shruti Iyer, Adv.

For Respondent(s) Ms. Binu Tamta, AOR
Mr. Dhruv Tamta, Adv.

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

We have heard learned counsel for the parties.

A summary suit filed by the petitioner was decreed for Rs.86,00,000/- (Rupees Eighty Six Lakhs) approximately. The respondent moved an application for setting aside the ex-parte decree which has been allowed.

Having regard to the fact that it was a summary suit and no leave to defend has so far been granted, while we do not see any ground to interfere with the impugned we direct that the

impugned order will be subject to the defendant-responent depositing a sum of Rs.43,00,000/- (Rupees Forty Three Lakhs) within three months from today with the Registry of the High Court. The said deposit will be abide by further orders of the High Court. We make it clear that if the said amount is not deposited, the original decree will stand.

The special leave petition is accordingly disposed of.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
ASSISTANT REGISTRAR