

SUPREME COURT OF INDIA

Ramesh Chand

Vs.

Punjab National Bank

C.A.No.233 of 1990

(M. H. Kania and Kuldip Singh, JJ.)

22.01.1990

ORDER:-

1. Leave granted. Counsel heard.

2. We feel that, although the conduct of the appellants has certainly been far from satisfactory and it does appear that they have tried to delay the matters, one final opportunity could be given to them for filing the written statement on certain conditions. In the event of the appellants' depositing in court a sum of Rs. two lakhs within a period of four weeks from today the impugned order will be set aside and they will be permitted to file their written statement within one week thereafter. In the event of their not depositing the amount within such time the appeal shall stand dismissed with costs without any further orders. In the event of deposit being made respondent No. 1 will be at liberty to withdraw the same subject to further orders of this Court. The deposit will be made without prejudice to the rights of the appellants. The appeal is disposed of. In the event of deposit of Rs. 2,00,000/- being made within aforesaid time there will be no order as to costs of the appeal which will be disposed of as aforesaid. In the event of deposit not being made within aforesaid time there will be an order of costs as aforesaid.

Order accordingly.

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