

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****WRIT PETITION NO. 10315 OF 2004**

Shri Prakash Sahadev Walke

....Petitioner.

Vs.

Sindhudurga Zilla Madhyavarty
Sahakari Bank Ltd. & Ors.

....Respondents.

None present.

CORAM:- ANOOP V. MOHTA, J.

DATE :- 20 FEBRUARY 2015.

P.C:-

Called out from final hearing board.

2 The Petitioner has challenged the order passed by the Maharashtra Co-operative Appellate Court, Mumbai dated 30 October 2004, whereby the order of Co-operative Court is confirmed and directed to recover a sum of Rs.11,31,635/- with interest @ 18.50% from 1st April 2001.

3 This Court, while admitting the Petition on 14 July 2005, granted stay in terms of prayer clause (b), on a condition to deposit the decretal amount together with future interest @ 14% p.a. without

prejudice to the rights and contention of the Bank. This Court, therefore, reduced the interest rate from 18.50% to 14 %. The law in this regard is quite settled. There is nothing on record to show that the order passed by this Court granting the interim relief, was challenged further. Even otherwise, considering the fact and the order of reduction of interest so recorded above, I see no reason now to interfere with the order so passed by the Authorities below and the same be treated as modified, pursuant to the order passed by this Court on 14 July 2005, only with regard to the rate of interest is concerned. The rest of the award/orders are maintained.

4 The Writ Petition is accordingly disposed of, with liberty.

5 Rule is disposed of accordingly, with no order as to costs.

(ANOOP V. MOHTA, J.)