

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.853 OF 2015
IN
FIRST APPEAL NO.1055 OF 2010

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Ketan A. Chotani for the Applicant
Mr. Rahul Mehta i/b. KMC Legal Venture for the Respondent.

CORAM : K. K. TATED, J.
DATE : MARCH 9, 2015

P.C.:

1. Heard. This Application is preferred by the claimants for withdrawal of the sum of Rs.5 lacs deposited in the fixed deposit account in the name of Applicant No.2 Nandini Dhananjay Bhosale pursuant to the order dated 01/12/2010 in Civil Application No.3774/2010 along with interest.

2. The learned counsel for the Applicant submits that at present he is pressing the Civil Application only for withdrawal of the interest amount on the fixed deposit with liberty to prefer an appropriate Application for withdrawal of the principal amount, if occasion arises. Same is allowed.

3. Considering the submissions made by the learned counsel for the Applicant and the order dated 01/12/2010 passed by this court in Civil Application No.3774/2010, I am satisfied that the Applicant has made out a case for allowing the Applicant No.2 Nandini Dhananjay Bhosale to withdraw the interest amount on the sum of Rs.5 lacs without furnishing any security.

4. Hence, the following order:

- a) The Applicant No.2 Nandini Dhananjay Bhosale is entitled to withdraw accrued interest amount on fixed deposit account of Rs.5 lacs till today without furnishing any security and quarterly interest in future.
- b) Liberty granted to the Applicant No.2 to prefer an appropriate Application if occasion arises for withdrawal of the principal amount, which will be decided on merits.
- c) Civil application stands disposed off accordingly.
- d) Parties to act on a copy of this order duly authenticated by the Sheristedar of this court.

JUDGE