

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1298 OF 2013
IN
WRIT PETITION NO. 8504 OF 2005**

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. Saikumar Ramamurthy, Advocate for Applicant.

Mr. G. S. Hegde, Advocate i/b M/s G.S.Hegde & Associates for Respondent.

CORAM: R.G.KETKAR, J.

DATE : 13/03/2015

PC:

1. Heard Mr. Saikumar Ramamurthy, learned counsel for the applicant and Mr.G,S,Hegde, learned counsel for the respondent.

2. Mr. Hegde states that as per the order dated 27.2.2015, the respondent has deposited the amount of Rs.4,79,531/- in this Court. Mr. Ramamurthy submits that the applicant may be permitted to withdraw this amount unconditionally. Mr. Hegde opposes this and submits that subject to

furnishing bank guarantee of a nationalised Bank, the applicant may be permitted to withdraw the amount.

3. In view thereof, the Civil Application is disposed of in the following terms:

(a) The applicant is permitted to withdraw the amount of Rs.4,79,531.00 deposited in this Court subject to the applicant furnishing Bank Guarantee of a nationalised Bank. The applicant shall keep that Bank Guarantee alive till the disposal of the main petition. The applicant is given two months time for furnishing the Bank Guarantee. In case the applicant is unable to furnish the Bank Guarantee within this period, the amount shall be invested in any nationalised Bank in the account of Writ Petition No.8504 of 2005. for a period of one year and the same shall be renewed during the pendency of the petition.

(R.G.KETKAR, J.)