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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2709 OF 2014

IN

WRIT PETITION NO. 6448 OF 2009

Shri Bhau D.Sakpal

.. Applicant

Vs.

Deep Theaters Deep Mandir

.. Respondent

Mr.Sandeep V. Bane, Advocate for the Applicant.

Mr.Jayesh Desai i/b M/s.Desai & Desai Associates, Advocate for Respondent.

CORAM : R.G.KETKAR, J.

DATE : 09th JANUARY, 2015

P.C. :

. Heard Mr.Sandeep V. Bane, learned Counsel for the applicant and Mr. Jayesh Desai, learned Counsel for the respondent. Since Mr.Bane has filed appearance on behalf of the applicant & respondent No.1 in the main petition, Mr.Rahul Nerlekar given discharge.

2. This is an application for permission to withdraw the amount deposited by the opponent herein- original petitioner – Deep Theaters Deep Mandir.

3. Mr.Bane submits that pursuant to the order dated 18/11/2009, opponent herein-original petitioner has deposited

amount in this Court which is ordered to be invested in a Nationalised Bank initially for a period of one year and thereafter to be renewed on yearly basis till the disposal of the petition. He states that the applicant will furnish solvent security to the satisfaction of the Registrar (Judicial-I) for withdrawal of the amount so deposited along with accrued interest.

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

- i) The applicant shall furnish solvent security to the satisfaction of the Registrar (Judicial-I) of this Court. Before accepting the surety, the Registrar (Judicial-I) shall hear the parties and pass appropriate orders.
- ii) Upon acceptance of the surety, the applicant is permitted to withdraw the amount deposited by the opponent – original petitioner along with the accrued interest, if any.
- iii) Order accordingly.

(R.G.KETKAR, J.)