

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO. 1389 OF 2015
IN
WRIT PETITION NO. 5115 OF 2009***

Shivaji Maruti Bagul

... Applicant
(Ori.Resp. No.1 in
W.PNo.5115/2009)

v/s

1. M/s.Bhandari Cloth Emporium & ors.

... Respondents
(Resp.No.1 is the
original petitioner &
Resp. Nos.2 & 3 are
Ori.Resp.Nos.2 & 3
in WP No.5115/09)

Mr.Pratap Nimbalkar i/by P.PMore for the applicant and original
Resp.No.1.

Mr.K.S.Bapat i/by M/s.Desai & Desai Associates for the original
petitioner.

CORAM: N.M. JAMDAR, J.

DATED : 1 DECEMBER 2015

P.C.:

This civil application is taken out seeking withdrawal of the amount deposited by the Respondent No.1/original Petitioner. It is informed that the amount is to the tune of Rs.95,000/-. The applicant was permitted by order dated 23 November 2009 to withdraw the amount after giving solvent security within a period

of 10 weeks, failing which the amount was to be invested in fixed deposit. Learned counsel for the applicant states that the applicant is a senior citizen and is suffering from various hardships. The order passed on 23 November 2009 is an interim order.

2. Considering the facts and circumstances, the applicant is allowed to withdraw the amount deposited, upon giving solvent security to the satisfaction of the Registrar (Judicial), High Court, Bombay. In case the applicant fails in the writ petition, then the applicant shall return the amount along with interest as may be specified by the Court at the time of hearing.

3. The civil application is disposed of.

(N. M. JAMDAR, J.)