

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 643 OF 2015

IN

CHAMBER SUMMONS NO. 678 OF 2014

IN

EXECUTION APPLICATION (L) NO. 1287 OF 2014

IN

ARBITRATION NO. 495 OF 2010

Kapil D. Manek ... Applicant
(Org.Respondent)

In the Matter Between

L & T Finance Ltd. ... Petitioner
(Org.Petitioner)

Versus

M/s. Shree Sainath Travels ... Respondent
(Org.Respondent)

.....

Ms. Kavita Shinde for applicant in Chamber Summons No. 643 of 2015.

Ms. Nikita Pawar a/w Ms. Bijal Vora i/b M/s. S.I. Joshi & Co. for applicant in Chamber Summons No.678 of 2014.

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CORAM : A.K. MENON, J.

DATE : AUGUST 27, 2015.

P.C.:

The present Chamber Summons is taken out by the original respondent No.2 against the bailable warrant issued by this Court.

2. At the time of execution of the bailable warrant, respondent No.2 (applicant in the Chamber Summons) deposited Rs.50,000/- in cash on 20 March 2015 in the District Court at Bhuj, Gujarat as reflected in the book of receipt, a copy of which is annexed as exh.B-1 to the affidavit-in-support of the Chamber Summons. Learned counsel for the applicant has prayed that direction may be issued to the concerned Court to refund the aforesaid amount to the present applicant. The Learned Advocate for the Petitioner has no objection to such relief being granted.

3. Accordingly, there will be an order in terms of prayer clause (a) of the Chamber Summons. The applicant Mr.Kapil D. Manek is allowed to withdraw a sum of Rs.50,000/- deposited in the District Court at Bhuj, Gujarat.

4. Issuance of the certified copy is expedited.

(A.K. MENON, J.)