

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****CHAMBER SUMMONS NO. 36 OF 2014****IN****SUIT NO. 3730 OF 1998**

Nisha Radheshyam Agarwal

...Orig.Deft.No.1 / Applicant

in the matter between

Shanti Nichani

...Plaintiff

VS.

Nisha Radheshyam Agarwal & Anr.

...Defendants

Ms.Meena A. fulbandhe for Defendant No.1 / Applicant.

CORAM : S.C. GUPTE, J.**13 APRIL 2015****P.C. :**

In the present summary suit, the Defendant had deposited a sum of Rs.87,160/- in pursuance of an order passed by this Court on 16 March 2004 towards securing the Plaintiff's claim. Subsequently, by an order dated 18 July 2009, the summary suit has been dismissed under Rule 227 of the High Court Original Side Rules. The Defendant, in the premises, has now applied for withdrawal of the sum deposited by the Defendant by way of security deposit. There is no reply to the Chamber Summons.

The Chamber Summons is made absolute in terms of prayer clause (a). Office to refund this amount together with accrued interest, if any, to the account of the Defendant's Advocate, Mrs.Meena A. Fulbandhe.

(S.C. Gupta, J.)