

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CAS NO.530 OF 2015

IN

SA NO.356 OF 2013

Balwant Bhoyar

..vs..

Sanjay Mandavkar

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri Y.B. Mandpe, counsel for the applicant/respondent.
Shri Amit Balpande, counsel for the appellant.

**CORAM : A.P. BHANGALE, J.
DATE : JULY 14, 2015.**

Heard.

This is an application for permission to withdraw the decretal amount, deposited by the appellant in this Court.

Shri Amit Balpande, learned counsel, strongly objects the application for withdrawal of the amount. He submits that in an identical FA No.315 of 2013 this Court had allowed the amount to be withdrawn by the applicant, upon furnishing security to the satisfaction of the Registrar (J) not only for the amount allowed to be withdrawn but also for the amount of interest that may be payable in addition on fixed deposit in the nationalized bank.

In that view of the matter, for the reasons stated in the application, the application is allowed.

The amount is allowed to be withdrawn by the applicant/respondent upon furnishing security to

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the satisfaction of the Registrar (J) not only for the amount allowed to be withdrawn but also for the amount of interest that may be payable in addition on fixed deposit in the nationalized bank. The necessary undertaking be furnished in writing accordingly as a condition precedent for withdrawal of the amount.

The civil application is disposed of as such.

JUDGE

!! BRW !!

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