

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.342 OF 2016 IN
WRIT PETITION NO.3519 OF 2011

TEJRAO S/O BAJIRAO MOHITE,(DIED)
THROUGH LR

APPLICANT

VERSUS

JALNA ZILLA SAHAKARI KRUSHI GRAMIN
BAHU-UDDESHIYA VIKAS BANK LTD.,
AND OTHERS

RESPONDENTS

Mr.A.R.Tapse h/f Mr.P.D.Suryawanshi, Advocate for the applicants.
Mr.S.V.Dankh, Advocate for the respondents.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 15/01/2016

PER COURT :

1. The applicant prays for withdrawal of an amount of Rs.53,634/- alongwith accrued interest.

2. Mr.Dankh, learned Advocate for the respondents submits that this Court, vide its order dated 19/10/2010 in similar matters, had permitted some of the parties to withdraw the amounts subject to an undertaking duly notarized before the Court. He further submits that the undertaking should contain the clause that the amount would be returned if the applicant fails in this litigation.

3. In the light of the above, this application is allowed and the applicant is permitted to withdraw the said amount of 53,634/- with interest on the condition that an undertaking affidavit shall be filed in this Court prior to withdrawal indicating that the applicant would return the amount within 2 (two) months in the event her claim is defeated in the proceedings. The affidavit/undertaking should be accompanied by a photograph of the applicant alongwith a copy of the election ID card/Aadhar Card.

(RAVINDRA V. GHUGE, J.)