

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1327 OF 2016
IN
WRIT PETITION NO.615 OF 2008**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Vincent Pereira, Advocate for applicant.

Ms. N.S. Moily, Advocate for Respondent.

CORAM : R. G. KETKAR, J.

DATE : 21/10/2016

P.C.:

1. Heard Mr.Pereira, learned Counsel for the applicant (respondents in the main Petition) and Ms.Moily, learned Counsel for the opponent (original petitioner), at length.

2. The applicant has prayed for permission to withdraw the amount deposited by the opponent as per order dated 30.10.2015 and 9.2.2016 on usual undertaking. Mr. Pereira submits that the applicant, through him, undertakes that he will abide by the outcome of the petition. Undertaking given through Mr.Pereira is accepted. In view thereof, Civil Application is allowed in terms of prayer clause (a). The applicant is permitted to withdraw the

amount which shall be subject to the outcome of the petition. The opponent herein is at liberty to request this Court while deciding the Petition finally to pass appropriate orders in relation to the amounts so withdrawn by the applicant herein. Order accordingly.

(R. G. KETKAR, J.)