

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 3258 OF 2015
IN
FIRST APPEAL (STAMP) NO. 14860 OF 2013**

Smt.Sarika Sunil Chavan & Ors.	... Applicants.
In the matter between	
Managing Director	... Appellant.
Versus	
Smt.Sarika Sunil Chavan & Ors.	... Respondents.

Mr.S.G.Thorat for Applicants.
Mr.T.J.Mendon for Appellant.
Mr.Nikhil Mehta i/b. KMC Legal for Respondent No.8.

CORAM : K.K. TATED, J.
DATE : 16TH SEPTEMBER, 2016.

P.C. :

- 1] Heard the learned counsel for the parties.
- 2] This Civil Application is preferred by the Claimants for modification of the order dated 16th April, 2014 passed by this Court in Civil Application No.4756 of 2013 in First Appeal (Stamp) No.14860 of 2013. The learned counsel for the applicants submit that this Court by order dated 16th April, 2014 allowed the applicant No.1 to withdraw interest amount on fixed deposits quarterly basis, for the

maintenance of applicant Nos.2 to 6 by furnishing personal bond. He submits that the applicant is residing in the village known as Vajreshi, Tq. Patan, District Satara. He submits that it is difficult for her to approach Registry of this Court for withdrawal of quarterly interest. He submits that Registrar may be directed to credit the quarterly interest amount in her account as provided by her in the Registry. He further submits that applicant is ready and willing to provide personal bond in the Registry for withdrawal of the amount till the final disposal of First Appeal.

3] Considering the submissions made by the learned counsel for the applicants, as applicant is residing in a village known as Vajreshi, Tq.Patan, District Satara and as she has to maintain her minor children and in-laws, I am of the opinion that applicants has made out a case for allowing this Civil Application in the following terms.

- i) Registry is directed to credit the quarterly interest in applicants account number as provided by her in the Registry as per order dated 16th April, 2014 till further orders.

- ii) Applicant to file personal bond stating that she is withdrawing the quarterly interest till the hearing and final disposal of the First Appeal on condition that in case the Court directs, she will bring back the entire interest amount.
- iii) Civil Application stands disposed of accordingly.

(K.K. TATED, J.)