

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**Civil Application No.3440 of 2017
In
Writ Petition No.5632 of 2016**

Sukhdeo Namdeo Patil. **.. Applicant.**

Versus

The State of Maharashtra
And Another. **.. Respondents.**

Shri. Vijay V. Patil, Advocate, for applicant.

Shri. S.J. Salgare, Assistant Government Pleader, for
respondents.

**Coram: T.V. NALAWADE &
SANGITRAO S PATIL, JJ.**

Date: 16 March 2017

ORDER:

1) The application is filed for making correction in the order dated 22-2-2017 made by this Court in Writ Petition No.5632/2016. Learned counsel for the petitioner, present applicant, submitted that when Civil Court had granted compounding interest this Court has granted

simple interest at the rate of 8% per annum for the relevant period. He submitted that correction needs to be made accordingly to give the compounding interest.

2) The amount was lying in the Court and it was fault of the staff of the Court and due to that this Court directed to make payment of interest. When the amount is lying in the Court and as a matter of right person who is entitled to get back the amount with interest, the interest can be simple interest and not the compounding interest. The request is rejected. The civil application is disposed of.

Sd/-
(SANGITRAO S PATIL,J.)

Sd/-
(T.V. NALAWADE, J.)

rs1