

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION (L) NO.350 OF 2017

IN

WRIT PETITION NO.1173 OF 2016

Rohan J. Tiwari and Ors.

....Applicants/Petitioners

Vs.

Municipal Corporation of Greater Mumbai & Ors.Respondents

Mr. Drupad Patil for the applicants/petitioners.

Ms. Pallavi Thakar for the respondents nos.1 to 3.

CORAM : A.S. OKA &

SMT. VIBHA VASANT KANKANWADI, JJ

DATE : 16th JUNE, 2017

PC.:

1 Not on board. Taken on board.

2 Heard the learned counsel for the applicants and the learned counsel for the respondent nos.1 to 3. Perused the order dated 17th March, 2016 in Writ Petition No.1173 of 2016. In view of the said order and in view of averments made in the affidavit in support, we dispose of the Notice of Motion by passing following order :

(a) The Prothonotary and Senior Master shall examine whether the present applicants are entitled to withdraw the amount of Rs.2 crores in terms of paragraph 10 of the order dated 17th March, 2016;

(b) If the Prothonotary and Senior Master is satisfied that the applicants are entitled to withdraw the said amount in terms of the aforesaid order, the payment of the amount of Rs.2 crores with interest accrued thereon, shall be made to the applicants in the proportion indicated in prayer clause – (b), subject to condition of all the applicants filing

specific affidavits recording consent for distribution of the amount in terms of prayer clause – (b);

(c) Notice of Motion accordingly disposed in the above terms.

(SMT. VIBHA KANKANWADI, J.)

(A.S.OKA, J.)