

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

JUDGES ORDER NO. 157 OF 2017

MISC. PETITION NO. 16 OF 2004

Surendra Narottam Patil] Petitioner

Sarvada Surendra Patil] Applicant.

Ms. Suman Jain, learned Counsel for the applicant.

CORAM : R.G. KETKAR, J.

DATE : 14th AUGUST, 2017.

P.C.

Heard Ms. Jain, learned Counsel for the applicant.

2. Ms. Jain submitted that Surendra Patil had instituted Misc. Petition No.16 of 2004 in this Court. On 17th February, 2005 this Court [Shri S.U. Kamdar, J.] passed order directing purchaser of the property to deposit the amount with the Accounts Officer, High Court, Mumbai to the credit of each of the minors as specified therein. The Accounts Officer, High Court, Mumbai was directed to invest the said amount in NABARD Bonds or RBI Bonds and the accumulated interest thereon from time to time. It was further ordered that Accounts Officer, High Court, Mumbai will hold the said certificate of Nabard till further orders and do hold the said

amounts till the said minors attain their age of majority. Accounts Officer was directed to pay the interest received on investments of the aforesaid amount in the name of the minors to the petitioner for maintenance and education of the said minors.

3. Ms. Jain submitted that Accounts Officer has issued the certificate of credit balance on 28th June, 2017 towards cash balance of Rs. 6,30,876/- to the applicant duly endorsed in her favour. She further submitted that the said amount is due and payable to the applicant and no other person. No other person except the applicant has any claim on the amount lying with the Accounts Officer. She submitted that applicant was born on 22nd April, 1993 and has completed 24 years on 22nd April, 2017. Applicant's father has no objection if the amount is handed over to the applicant. She, therefore, prayed that direction may be given to the Accounts Officer to hand over cash balance of Rs. 6,30,876/- to the applicant duly endorsed in her favour. Accordingly, Judges order is separately signed.

[R.G. KETKAR, J.]