

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (APPP) NO.1864 OF 2016

IN

CRI. APPLICATION (BA) NO.487 OF 2013 (D)

(MANOJ SHRIGOVIND AGRAWAL & ANR...VS.. STATE OF MAH. THR. P.S.O. CHANDRAPUR CITY)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A. Subhan, Adv. H/f. Shri F.T.Mirza, Advocate for applicant.
Shri N.R.Patil, A.P.P. for non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 07, 2017.

The applicant had deposited amount pursuant to the order passed by this Court on 19th July, 2013. By this order the deposit of amount was towards provisional payment of Value Added Tax alleged to have been evaded by the accused. The deposit of amount was subject to final adjudication by the competent Authority of the liability to pay Value Added Tax. After adjudication by the competent Authority, Criminal Application No.1508 of 2014 was filed seeking permission to deposit the amount of Rs.66,66,666/-.

By the order passed on 14th December, 2015 this Court overruled the objection raised by the non-applicant and directed that the amount of Rs.66,66,666/- be given to the applicants-Manoj Shrigovind Agrawal and Sanjay Gaurishankar Agrawal.

Now, Manoj Shrigovind Agrawal and Sanjay Gaurishankar Agrawal have filed this application seeking permission to withdraw the amount of interest which accrued

on the amount deposited by them. It is undisputed that the amount of Rs.66,66,666/- was deposited by the present applicants-Manoj Shrigovind Agrawal and Sanjay Gaurishankar Agrawal and this Court has permitted them to withdraw the principal amount. As a logical consequence, the present applicants are entitled for the interest which accrued on the amount which was deposited by them.

The interest accrued, if the amount of Rs.66,66,666/- was deposited in the bank, be given in equal proportion to the applicants-Manoj Shrigovind Agrawal and Sanjay Gaurishankar Agrawal.

The application is **allowed** accordingly.

JUDGE

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