

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

**CIVIL APPLICATION NO. 4485 OF 2018
IN FCAST/26172/2016 WITH CA/12851/2016 IN FCAST/26172/2016
KAVITA VIJAYKUMAR KASTURE
VERSUS
VIJAYKUMAR SHARANAPPA KASTURE**

Mr.S.S. Gangakhedkar, Advocate for the applicant.
Mr.R.B. Narvade Patil, Advocate for the respondent.

**CORAM : S.S.SHINDE &
S.M.GAVHANE, JJ.
DATED : 03.04.2018**

P.C. :-

1. At the outset, learned Counsel appearing for the applicant prays for extension of four weeks' time so as to enable him to comply order dated 29.01.2018 passed by this Court. Time is granted as prayed for by way of last opportunity.

2. This application is filed praying therein to permit the applicant to withdraw the amount of Rs. 1,76,000/- (Rupees One Lakh Seventy Six Thousand) with accrued interest thereon, if any. Learned Counsel appearing for the non-applicant in the present application opposed the prayer to permit the applicant to withdraw the said amount.

3. Without prejudice to the contentions of the

parties, we permit the applicant to withdraw the aforesaid amount on furnishing personal undertaking in the Registry of this Court that in-case the appellant succeeds in the appeal, the applicant will deposit the said amount in the Registry of this Court.

4. The Civil Application stands disposed of in above terms.

5. Parties to act upon authenticated copy of this order.

[S.M.GAVHANE, J.]

[S.S.SHINDE, J.]