

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3773 OF 2018

Durgadas s/o. Gangadhar Bagul .. Petitioner
Vs.
Pravara Sahakari Bank Ltd. .. Respondent

Mr. Anant Vadgaonkar for the Petitioner.
Mr. Amey R. Deshpande for the Respondent-Bank.
Mr. Bhimashankar Sadashiv Aandhale present in Court.

CORAM : A. A. SAYED & R. V. GHUGE, JJ.
DATE : 4th APRIL, 2018.

P. C. :

1. The prayers in the Petition are as follows:

(a) This Hon'ble Court may kindly be pleased to permit the Petitioners to withdraw the amount of Rs.17,50,000/- deposited with the Ld. Registrar, D.R.A.T., Mumbai in view of order dated 19.11.2014 as the charge of the bank has been satisfied and the Appeal No. 159 of 2012 has been dismissed for default.

(b) That this Hon'ble Court further may kindly be pleased to direct the deposited with the Ld. Registrar, D. R. A. T., Mumbai to repay the said amount of Rs.17,50,000/- to the Petitioners upon such terms and conditions deems fit and proper by this Hon'ble Court.

(c) Any other further order be passed in the interest of justice.

2. Learned Counsel for the Respondent-Bank on instruction from Mr. Bhimashankar Sadashiv Aandhale states that since all the dues have already paid by the Petitioner-borrower, the Respondent-Bank has no objection to allow the Petitioner to withdraw the amounts.

3. In the circumstances, the Petition is allowed in terms of prayer clause (a). The Petitioner shall also be paid the accrued interest, if any.
4. The Petition to stand disposed of.

[R. V. GHUGE, J.]

[A. A. SAYED, J.]