

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1026 OF 2017**

Maharashtra Tourism Development .. Petitioner.

v/s.

Punjab and Sind Bank and anr. .. Respondents.

Mr. S.P. Bharati, advocate for petitioner.

Mr. Sujeet Kurup, advocate for respondents.

**CORAM : RANJIT MORE &
SMT. SADHANA S. JADHAV, JJ.**

DATE : MAY 3, 2018.

P. C. :

- 1 Heard the learned Counsel for the petitioner and respondent.
- 2 On 19/4/2018, we pass following order:
“Learned Counsel for the respondents on instructions of Mr. Murlidhar Bhujbal, Senior Manager of respondent No. 2, who is present in the court makes a solemn statement that subject FDR belonging to the Petitioner will be defreezed and the amount would be paid to the petitioner subject to the Petitioner's furnishing original discharged FDR and indemnity bond within a period of 7 days from the date of furnishing these documents. Statement accepted. For compliance, matter is adjourned to 3/5/2018, to be placed on supplementary board.”

Talwalkar

3 Today, the matter is placed before us for compliance of the above stated order. The learned Counsel for respondent No. 1 states that original fixed deposit receipts have not been furnished and therefore, payment could not be made. He submitted that the petitioner is at liberty to apply for duplicate or copies of fixed deposit receipts and after receipt of the same, submit the same in the bank alongwith bond in the prescribed format, copy of which is already given to the petitioner. Mr. Bharati, learned Counsel for the petitioner submitted that the petitioner has submitted fixed deposit receipts whatever they are given by respondent-bank and there is no duplication of the same.

4 Since there is no dispute about the fact that the petitioner has kept an amount of Rs. Thirty Crores and they are entitled to receive the same in pursuance of the order of the Sessions Court, without going into controversy, we dispose of the petition by passing following order :

- (i) The petitioner shall apply to the respondent-bank for copies/duplicates of fixed deposit receipts.
- (ii) Respondent No. 2 within period of 2 days from the receipt of the said application shall give duplicates/copies of the fixed deposit receipts to the petitioner.
- (iii) The petitioner thereafter shall submit the fixed deposit receipts received from respondent No.2 alongwith bond in prescribed format to respondent No. 2.
- (iv) Respondent No. 2 thereafter within a period of one week shall pay to the petitioner the amount of fixed deposit receipts alongwith interest.

[SMT. SADHANA S. JADHAV, J.]

[RANJIT MORE, J.]