

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 126 OF 2006
IN
SUMMARY SUIT NO. 2171 OF 2004
WITH
CHAMBER SUMMONS (L) NO. 1194 OF 2018**

Madhusudan Shrikrishna

...Petitioner

Versus

Emkay Exports & Ors

...Respondents

Mr ND Jaywant, *for the Petitioner.*

Mr SH Bohra, *for the Respondents/Applicants in CHSL.*

CORAM: G.S. PATEL, J

DATED: 4th September 2018

PC:-

1. The decretal claim was Rs. 31,86,536.98/- as on 3rd September 2018. In 2006, the Judgment Debtor deposited Rs. 25 lakhs in this Court. This amount has been invested.

2. It is now agreed between the parties that the amount deposited with accrued interest up to the amount of Rs. 31,86,536.98/- will be allowed to be withdrawn by the Decree Holder. The surplus, if any, is to be returned to the Judgment

Debtor. The fixed deposit is to be broken and encashed for this purpose.

3. On withdrawal of the aforesaid amount by the Decree Holder, the decree will be fully satisfied and will be got so marked within four weeks from the date of the withdrawal.

4. Upon withdrawal, all attachments will stand raised.

5. The Chamber Summons and the Execution Application are disposed of in these terms. No costs.

(G. S. PATEL, J)